HOW DID GOVERNANCE IN ACHOLI DOVETAIL WITH VIOLENCE?

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A Case Study of Multiperiod Communal Practices in a Fragile Situation in Uganda

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Key Words: Acholi, community governance, violence, political legitimacy, moral, entrustments, practices

Abstract

This thesis applies interdisciplinary approaches to explore interactions between two forms of community governance in Acholiland from 1898 to 2010, locating itself within Peace Studies. One form, *kaka,* was "traditional", featuring varied forms of "facultative mutualisms" among two or more *gangi* agnates – with one *gang* as dominant in the realm. *Gangi* were kinship-based polities. Like *kaka*, *gangi* manifested *autopoietic* attributes and strong internal "fiduciary cultures". Then in the 1900s, *kaka* as governing systems were reshuffled under colonialism and a tribal unit, the Acholi Local Government was created and was subordinated to the Uganda state. Unlike *kaka*, Acholi Local Government was hierarchal and has consistently been redesigned by various post-colonial governments in their attempts to renegotiate, reshape and control the Acholi people.

The study advances a concept of community governance as "social-political" and moral, and counters that *kaka* was about brotherhoods - not ruler-subject relationships. It further distinguishes what was "traditional" from "customary" systems, and demonstrates how colonialism in Acholiland, and a crisis of legitimacy manifested in a trifurcation of authorities, with: i) the despotic civil service - the "customary system", fusing modernity and the African tradition, ii) a reshuffled *kaka* system as traditional, and, iii) the cross-modern, manifested as kinematic *lugwok paco*, linking ethno-governance with the nascent national and global arenas.

The study concludes that both colonialism and "coloniality" have reshuffled the mores of *kaka* along an African neo-patrimonial legitimacy. Conversely, Acholiland is a "limited statehood" – manifesting a higher order of societal entropy - where the "rule by law and customs" dovetail with violence and poverty, demonstrating a genre of exceptionalism.

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I am highly indebted to Professor Donna Pankhurst. She was with me from the beginning of the Project and helped transform my development thinking into an academic piece. I am appreciative of Professor David J. Francis, who offered to take over my mentorship when Donna felt very ill in 2013/4. David helped me in the final phase of this work and Donna returned later, to conclude this invaluable work!

The insights of this work came from the Acholi people – the voices of reason that influenced the entire discourse of the study. I dedicate this work to Mama Atim, my mother-in-law and a Danish national. She was married to the Rt. Prime Minister, Otema Allimadi from Patiko *Kal.* She provided the initial start-up infrastructure – desk, chair and the daily tea and occasionally cold beers - for me as I started reading for this thesis. For two months and everyday of that, she offered every support I needed while she lived with us in Uganda. She wanted this narrative presented as an academic piece that is accessible to her and other ordinary Acholi people. She unfortunately died before reading the full work. May her soul rest in peace!

Then to *nya pa rwot*, my wife Signe Atim Allimadi from *kaka* Patiko *Kal*, and our children, the new generation of *kaka* Lamogi, Pakiri - I owe this work to all of them. Thanks to Harriet Anena and Father Joseph Okumu-Lagwok, both were closely associated with this work. Lastly, but not least: to *liwota*, the Retired Reverend, Bishop M. B. Ochola, "*rwodi* Acholi *ducu,*" Professor Latigo-Ogenga and Professor Ronald R. Atkinson - thanks much - for every help you offered!

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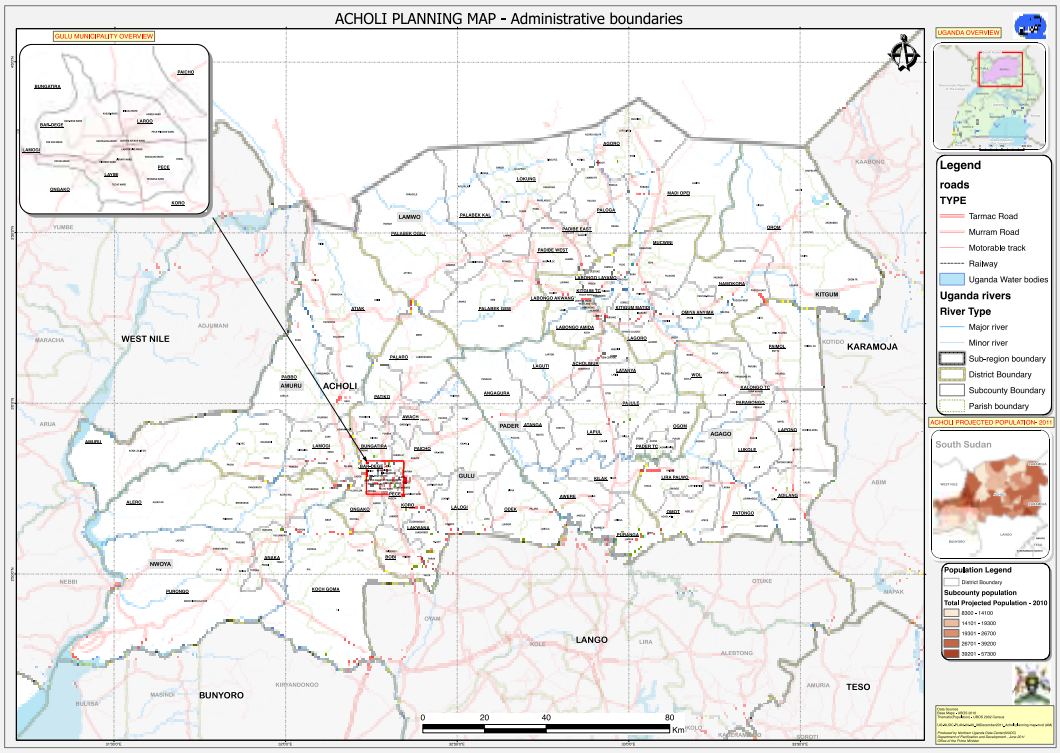
Glossary

Abila	[*abi-lah*] is an Acholi word for a shrine belonging to a collection of lineage groups (*gangi*) that recognised a common ancestor
ACORD	Action for Cooperation of Research and Development
AIDS	Acquired Immunodeficiency Syndrome
ALGO	Africa Local Government Ordinance
ARLPI	Acholi Religious Leader's Peace Initiatives
Awobe	[*Awo-b-e*] is an Acholi word for boys
CARE	Cooperation of American Relief Everywhere
Can	Pronounced, as "chan" is Acholi word for incapability, hence, distress, sufferings or poverty.
CMS	Christian Missionary Society
CS	Case Study
CSOs	Civil Society Organisations
CSCOPNU	Civil Society Coalition for Peace in Northern Uganda
Dako	[*Dak-o*] is an Acholi word for a mature woman or wife. *Mon* is the plural for *dako.*
Dog	[*dohg*] is an Acholi word which literally means "mouth" of, hence, an entre point, a territory, like *dog gola pa* signifying some one's home. D*og ot* is the property or a hut belonging to or describing a unit, a belonging
DP	Democratic Party
Dye-kal	[*dyekal*] is an Acholi word describing lineage settlement, a homestead that is named after a pater. It is a compound that pledges allegiance to a *kac* as a patrilineal shrine of their immediate fore father. It is also known as *dog gola pa*
EG	Example
Gang	[*ghang*] is a collection of lineages or *dye-kal* with a common *abila,* a shrine of a common ancestor that was superior to the individual *kac*. *Gang* (plural: *gangi)* represented a village in the modern time
GHROs	Global Human Rights Organisations

HIV	Human Immunodeficiency Virus
HRPC	Human Right and Peace Centre, Makerere University
IBEAC	Imperial British East Africa Corporation
IDPs	Internally Displaced Persons
IFC	International Finance Corporation
INGO	International Non-Governmental Organisations
Kac	[*Kach*] An Acholi word for a shrine erected at the compound level of governance, *dye-kal*. It is a site where lineages offer sacrifices to the spirits of the gods.
Kaka	Acholi word commonly used to describe relationships and belonging. Also was used for describing the macro-level institutions of community governance – the chiefdoms - during pre-colonial and colonial era [*ka-ka*]
Ladit	Acholi word for a respected man (plural: ludito), an elder, married and with responsibilities and, therefore, a leader or *latela.*
LC	Local Council / Local Councillor
LRA/M	Lord's Resistance Army/Movement
NAADS	National Agriculture Advisory Services
NGOs	Non Governmental Organisations
NRA/M	National Resistance Army/ Movement
NUSAF	Northern Uganda Social Action Fund
Macon	Acholi word for old customs or tradition, past
Min	[*min*] is an Acholi word for mother and is used to describe also objects of significance, like in the case of *min ot* [mother of hut or a wife], *min bul* [mother of a drum]. *Mego* is plural for *min* but also used to describe a woman in plural form because she a respected elder and recognised as a mother of the people, a collection of all mothers.
Mwoc	Is an Acholi verb for slogans or expression of flirtation or belonging, often identifying one with a culture or behaviour as a unique identity. It is a motto or an expression, a bragging slur by both men and women in expressing their distinctive identities and outstanding cultures.
OPM	Office of the Prime Minister of Uganda

PRDP	Peace, Recovery and Development Plan
TJ	Transitional Justice
QCA	Qualitative Comparative Analysis
RC	Resistance Council/Councillor
RCC	Roman Catholic Church
RDC	Resident District Commissioner
RCM	Roman Catholic Missions
SNV	The Netherlands Development Organisation
UBOS	Uganda Bureau of Statistics
UIA	Uganda Investment Authority
ULA	Uganda Land Board
UN	United Nations
UPC	Uganda People Congress
UWA	Uganda Wildlife Authority
Won	[*Wo-n*] is an Acholi word for pater and used in describing / explaining significant matter like a leader [*won paco* or *gang* – father of a compound or village]
Wat	An Acholi word for relatives from both maternal and paternal sides. *Wat remo* literally means, “blood relatives” and are therefore genealogical or kin. *Wat obeno* on the other hand, describes shared motherhood, as *obeno* is the sling used for carrying children on the back. Sometimes, this is also referred to as *wat adota*, to suggest that they suckled same breast, *doto cak*. *Wadi* is the plural of *wat* and they are exogamous.

Figure 1.1 Acholi Planning Map with Administrative Boundaries



Chapter One – Introduction

This Chapter is an overview of an epistemology of community governance practices of the Acholi of Uganda. Using peace studies as the field of inquiry, the study advances arguments that community governance is a moral obligation. In this scholarship I provide some historical insights into how the present Acholi community in Uganda became a tribal outfit and a theatre for political endurance during colonial and post-colonial eras. The study espouses Critical Theory in advancing an insider's understanding and interpretations of some of the Acholi's governing words and terminologies, by offering meanings of the changing architecture of local governance. It attempted to answer key questions: *What is community governance; how and why has the quality and form of governance practices in Acholiland changed over the years, and especially in the last thirty years?*

An Overview of the Study

This thesis is an attempt to periodise institutional change outcomes or governing practices associated with community governance of the Acholi of Uganda from 1898 to 2010. It seeks to explore the nature, extent and outcomes of various social-political interactions that defined the Acholi traditional and contemporary praxis, and explain how and why violence was a significant manifestation of such interactions (see: Finnström, 2008:33,54,106-107; Dolan, 2011:6, 256; Branch, 2011)[1].

As such, the study falls within the scholarly realm of peace studies. It is a systematic and qualitative examination of the quality and forms of community governance practices, with the view of explaining the trajectory between the different modes of governing interactions and the violence that has characterised

[1] The periods considered as colonial era began from 1898 – when colonial authorities began to sign treaties with *rwodi* Acholi - through to 1962, a total of up to sixty-four years. The post- colonial era considered in the study is from 1962 to 2010, which is a cumulative total of forty-eight years. This means that the contemporary Acholi being studied claims some one hundred and ten years. I have provided evidence to justify that all these periods - the sixty-four years of colonialism and the thiry-two of post-colonialism - manifested significant political violence.

most of the contemporary Acholiland. Specifically, the study seeks to correct the misconceptions that *kaka* – as the social-political structures and ideations for community governance of the Acholi *macon*[2] - were a façade of authoritative and hierarchal arrangements by nature (Atkinson, 2010:70-110). Additionally, the study built on this analysis to construct a new version of the concept of community governance, which focuses on the moral elements of political interaction between what Jan Kooiman (2003:7) refers to as the social and the political actors. In this study, three governing elements are used to explore how Acholi respondents perceive the progression in the quality and forms of community governance practices over time and how it dovetailed with violence[3]. These elements include: (i) the Acholi governing images, (ii) its governing instruments and, (iii) its governing actions – which are the parameters of political activities as explained later below[4].

To clarify from the onset, the new version of the concept of community governance seeks to advance it as a moral, social-political and an interactive process between the social and the political (see: Kooiman, 2003:4-6)[5]. As a focus for inquiry, community governance embraces the different governing actors within the social-political governing space and situations by applying a conflict and peace lens. As such, it is structured by analyses of context, societal problems, moral dispositions, values and norms, and how in turn they are

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[2] "Acholi *macon*" literally refers to the old Acholi customs-the organisations, culture and systems prior to any form of imperialism. This is what I consider as traditional and I consistently make reference to it as indigenous to the society. It therefore defines the values and aspirations or the informal systems that the people are associated with although were not necessarily in agreement with. This terminology recognises that while there were relationships and exchanges in Acholiland, a large part of it was based on mutual trust and consultation. Colonialism and neo-colonialism were imperial conditions that imposed conditions of extraction instead of partnership and what came with it became formal and formed the customary laws of the Acholi people. Periodising the changes in "informality" is in a way documenting the modernisation processes that accompanied Acholiland's development.

[3] The choices of these elements were influenced by the outcomes envisaged but also availability of information on governance during the period of the research.

[4] In the study, governing images refer to perceptions - how social actors viewed the performances of both the institutions and leaders that governed them. Whether these were either embedded or detached from their social issues. Governing instruments on the other hand are the rules of the games applied by the leaders – and whether they were relevant or not; while governing actions are the measures of their interactions with the people – whether these were participatory or not.

[5] Jan Kooiman sees "social" as actors to be led while "political" as actors that lead, something that I have elucidated in the coming Chapters in discussing interactive governance among *kaka* Acholi.

reinforced, shaped, compromised or annulled by mixes of a multi-layered and a multilateral governing efforts as a general practice. The study is, therefore normative and in some instances cognitive, allowing for comparison between the different governing entities[6]. This is because governance seeks to describe the abilities and capabilities of these different and diverse governing actors, not only to create and enforce social rules, but also inclusive development opportunities by delivering quality societal services.

Conversely, there is a growing awareness and positive realisation today that indigenous practices and "modernity" have cross-fertilised contemporary governing practices in most societies (Kooiman, 2003:7). This reality is demonstrated by the way the principles of rationality and humanity are blended – with the increasing manifestation of the attributes of self-governance or *autopoiesis*, co-governing and hierarchical practices in contemporary governance (Girling, 1960:80-150; Kooiman, 2003:7)[7]. These forms of interactions and the governing equilibrium sought, are dependant on the state and quality of these mixes of interactions. I have argued in the case of Uganda that in the last thirty years, there have been increasing attempts by the state to re-centralise power, with the political principle demonstrating a form of neo-patrimonial legitimacy (see for instance: Rubongoya, 2007:8). This action in governance has fused the functions of the state with that of the community. Subsequently, conflicts and contestations have turned violent, undermining moral approaches to community governance (see: Roberts, 2011:34; Missier, 2012:3-6).

The study objectives

Two core objectives underpin this study. Firstly, is to explore the nexus between the major governing practices exhibited in Acholiland, from 1898 to 2010, and violence, by isolating some elements of governing interactions and the corresponding responses and political behaviours that were exhibited by both

[6] In Chapters Six and Seven, I explore some aspects of the qualitative and quantitative cognitive views of leadership in Acholi when talking about the different leaders and their individual political powers, to lead.

[7] For a general discussion of the principle of autoposis as self-governance, Jan Kooiman offers a good text, which is relevant for the situation.

internal and external political actors[8]. Secondly, the study seeks to isolate some of the exceptional practices in community governance within the Acholi that have evolved over time. In particular, the study focuses on identifying coping strategies in community management under crisis, to understand the logic behind them and the changing trends under pluralistic legal systems. The study also documents identity shifts especially in gender-based social categorisation and in the factors that have consistently catalysed and sustained the process of change.

In particular, the study challenges the misconceptions by earlier scholars that *kaka*, as a description of the political macro level governing structures, were authoritative and hierarchal in nature and therefore, were synonymous with chiefdoms (e.g., Atkinson, 2010: 261)[9]. As such, this scholarship provides detailed analytical evidence of *kaka's* governing instruments, to demonstrate the logic behind diffused power that characterised *kaka*, arguing that decentralised power base was essential for peace building - in respond to societal diversity in the complex geopolitic that defined the Acholiland as a political territory – as discussed in the next sections.

The study, therefore, sets out to comprehend the effects of new practices in community governance brought about by modernity, and how these new approaches or governing actions interacted with *kaka's* governing structures and their specific concepts of governance. The study then explains the observed impacts – that is, the extent of actual and perceived change in governing practices: how and why these changes happened at some particular time and in some specific periods, and whether violence was actually an outcome of, or a trigger or both of these dynamism.

"Tradition" as consistently used in this study suggests that there were some practices and aspects of the Acholi culture that were indigenous, in the sense of having evolved internally in response to the complexities and diversity that prevailed. These complexities, which have been discussed in detail in

[8] By internal actors, I refer to the different social and political governing actors that formed the *kaka* as a political unit. The social are the society, which are further categorised into households (*dog odi*), extended families (*dye-kal* or *jo pa),* villages (*dog gang*), etc. The political, on the other hand, were the elders (*ludito* or *lutela kaka),* women (*megi kaka)*. External actors include the central government and all those others, who were not part of the internal Acholi dynamics.

[9] Professor Ronald R. Atkinson has substantially discussed the historical perspective of Acholi's socio-political organisations prior to colonialism.

chapters one and seven, in turn arbitrated the evolution of some governing practices that seem to have remained relevant even today. One of such practices is the search for consent and participation. As such, these features, I argued, were a part of the Acholi's core values of existence. I have advanced that *facultative mutualism* as mechanism in governance existed among the different macro *kaka* authorities and lineage-based or meso *kaka* authorities. In responding to vulnerability and in providing safety nets to smaller units, fiduciary practices existed - dominated kinship levels of governance as attributes of community governance. Governance, I argue, is a contested space, because it is multi-layered and complex (Newell, 2012:229-314).

Research problem statement

The Acholi of Uganda, as a community of polities today, is a product of cultural mixing, organic evolution and colonialism. Arguably, the different ethnic groupings that formed the Acholi in the modern time were geographically, territorially and locally situated and were socially related to each other in one way or the other. As such, they were culturally, historically, socially and politically interconnected with each other in what Graeber (2011: 145, 149) describes as a human economy when he explored the life of the Tiv of Nigeria[10]. By 1898, there were probably nine distinct political zones in the area, each with a distinct Luo dialect. According to Atkinson (2010:138-139) these political partitioning provided significant markets for macro-level interactive governance among each other (see also: Crazzolara, 1954:326)[11]. Evidently, there were trade and intermarriages and occasionally fighting would break as they scrambled for space and dominance (Atkinson, 2010:260-265).

This territory also had frequent droughts and famine, which induced movement, displacement and increased tensions for space between the opposing groups while at the same time, mediated cooperation among

[10] In Chapter Two, I have conceptualised the evolution of a "community in place" through interpolation, mixing and intermarriages. The underlying point is that the social flux that charasterised the Acholiland in the past created a culture that renegotiated any strong form of primodial attachment in redefining the *kaka* model of governance that became a dominant feature of the Acholiland by 1800s. Thus, the definition of ethnicity in the case of Acholi is argued here in the context of political economy and embraces three core elements of common descent, common location and common history – which embrace the two paradigms of primodialism and constructivism as further discussed in Chapter 4.

[11] These 8 political zones actually became the first County administration arrangements under colonialism as further discussed by Uma-Owiny, 2013

likeminded groups. By 2010, the Acholi relationship with modernity had clocked over one hundred and ten years. Unfortunately, the most memorable parts of this period were marked by political violence, displacement and turmoil (Atkinson, 2010:261-274; Dwyer, 1972:10-11, 130-159)[12]. The wider view today is that Acholiland is - if not the least - one of the least understood political system failures in Uganda's domestic, political, and economic development processes (Finnström, 2008; Dolan, 2011).

By 2010, almost one in every three persons of an Acholi origin was living below the poverty line (Attallah, et al., 2005:4; UBOS, 2010). And, of those aged thirty-five and below, at least one in two had suffered directly and, or indirectly from political tortures by the same period (see: Dolan, 2011:224-226). Violence has influenced the way of life in Acholiland and built monuments that naturally should worry the leaders and demands a comprehensive examination. Evidently, most of the Acholi given names are linked to events like wars, and the majority of them tend to express the notion of mistrust. A random survey of given names of participants in a World Bank funded workshop in 2001 in Gulu and Kitgum indicated that more than sixty five per cent of the Acholi given names of the participants were about mistrust or unhappiness.

Social tortures in Acholiland, it seems, are multifaceted based on studies, but the modes and the history of social-political governance seem to play some important role. According to Dolan (2011:1, 219-252), social tortures are mass or widespread torture and "violation, dread, disorientation, dependency, debilitation and humiliation, all of which are tactics and symptoms typical of torture, but perpetrated on a mass rather than individual scale"[13]. Branch and other scholars see these forms of violence in Acholiland as a challenge of legitimacy – that is, the mental relationship between those who lead and those led engendering the belief of respect and submission to their authority (Allen, 2006: 96-117; Atkinson, 2010: 85-89; Branch, 2011:45-71). In the case of Acholiland, the dominant view is that as a political community, the society has been categorised as unsubmissive to higher governing authorities (Finnström, 2008: Chapter 3). From a succession of scholarships that have informed our

[12] The majority of Acholi I spoke to contend that the first post independent regime (1962 to 1971) provided the only memoriable space and time for peacefulness.

[13] Chris Dolan sees a multitude of perpetuators including governments, the LRA and the donor community in Uganda when he discusses the social torture in Acholiland during the NRM regime.

understanding of the processes and outcomes of social and political change elsewhere, the influences of induced as well as demand-driven socio-political factors in causing societal change have been elucidated. Regrettably, sometimes the impacts of political change on society can be devastating. As such, the Acholi situation, as seen from this perspective, may not necessarily be that different.

The Acholi case, however, has generated a rather unique brand of prejudices, interpretations, and occasionally, damaging ethnic categorisation and labelling (see: Finnström, Chapter 2)[14]. These narratives build on a prolonged history of isolation, racial segregation, stigmatisation and unprecedented sufferings that quite often are presented as Acholi's internal weakness and therefore its governing image (Gertzel, 1976:12; Finnström, Chapter 2). When National Resistance Movement government (NRM) captured power in 1986, Uganda was automatically proclaimed as a peaceful country even when violence was devastating in Acholiland (see: Museveni, 1997:177). The denial of damaging civil wars and the isolationary manner explained how an ethnic group, for years, was confronted with the stark reality of tortures and the politics of governance (Branch, 2011:246).[15]

In terms of a search for knowledge, my preferred standpoint is to imagine that there are phenomena within Acholiland which pre-date these graphical and redemptive images of hopelessness, even if they are not felt or even imagined today. Some of what is referred to as social violence could actually represent and be shaping the realities in Acholiland that have been misunderstood, misrepresented and have unclear meanings.

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[14] I have also referred to the Acholi in this study as an ethnic group. As elaborated later on, as a political community, they shared common descent, common history and location (see: Green, 2006:1). These elements have constructed some collective culture and common identity that are generally claimed by them but are also recognised by the other ethnicities. In this definition, I recognise and embrace both the primodialism and constructivist viewpoints in discussing ethnicity in Acholiland (see: Green, 2006:1).

[15] However, as Adam Branch noted, there were contradictory reports by newspapers and human right watch on atrocities metered in Acholi by the LRA and the UPDF. Some of these include: New Vision (August, 1986) "Museveni Denounces Sudan's Treachery" and New Vision (August 1987) "NRA To Cover Rebel Areas"

Motivation for the study

My motivation comes from two standpoints. One is my long-term insight and interactions in Acholi as an insider, an intellectual and rural development practitioner. Secondly is contextual - to fill the gaps in the current knowledge about the Acholi. In particular, I have advanced a concept of community governance that underpins moral values - integrating humanity and the right-based approaches. *Kaka* as an institution and community organisation was both a means to and an outcome of governing practices. However, *kaka's* ideation was patrilineal, and not necessarily patrimonial, as we will see later[16]. In advancing brotherhood as governing principles, *kaka* as an ideation sought to maintain the identity of the lineage-based authorities, and ensured their growth as a moral obligation.

My relationship with the Acholi and the knowledge of its people and what they stand for spans several years back. I was born and raised by Acholi parents and was privileged to have spent part of my student life in Acholi, and I dedicated my professional career later on in the same region and similar areas in Africa[17]. In particular, from the 1980s to the present, I have worked on and off in Acholiland, undertaking analytical work to generate knowledge in support of the reconstruction of the people. In doing this, I worked either for major donors like DFID, the World Bank and the USAID or in partnership with them (see: Oloya *et al*. cited in Amisi and Juma, 2002:116-134; Oloya, 1997; Ayo and Oloya, 2001). In the case of the latter, I partnered with Saferworld, Oxfam-UK and CARE International, and carried out analytical work in Acholiland during the insurgency of 1986 to 2010 (Oloya *et al*., 1998).

The most significant engagements I had in the region came from international organisations because they valued my intimacy with and knowledge of the community. I led the design of several programmes in the area, including two social funds on behalf of SNV (the Netherlands Development Organisation) and the World Bank. These involved an intensive understanding of the social

[16] This view became clear after series of discussions regarding the styles of governance practiced by the different *kaka* sampled.

[17] I have worked for the World Bank on fragility and community recovery and development in South Sudan (2007 to 2011), Sierra Leone (2004), Rwanda and Burundi (2003-2004) and Northern Uganda 1998 to date. But I also worked for SNV in South Sudan, in addition to supporting works in Liberia, Somalia and Mozambique but also earlier on.

and political context of the Acholiland profiling of the social-political interactions of the community with other actors, in order to design area-based programmes that are responsive to the realities on the ground. I was also privileged to manage and later supervise these activities. These in-depth interactions with the community enabled me to form opinions on the persistent derogatory narratives about the Acholi in the media as cited in Branch (2005:24-26)[18] as well as in earlier scholarships (Postlehwaite, 1947 cited in Branch, 2005:24-26). Some of the insights were outrageous, lacking originality, while others were limited in depth and breadth because Acholiland in its present context cannot be viewed from a single discipline, to make true sense of the situation[19]. For instance, there were views that Acholi lacked the types of leaders required by the new regime of president Museveni to end the political impasses (See: Branch, 2011:63-66; Atkinson, 2010:306-307).

Justification for the study

Firstly, violence, it seems, has colonised Acholiland because it has a long history of co-existing with the Acholi – that is, when violence is contextualised from the respondent's viewpoints as discussed later. Before 1986, Acholiland had experienced some 130 years of mixed forms of governance, little comprehended by the majority of local as further discussed later (see Table 1.1 below). Of these years, the bulk – which totalled 118 years were a period of the *aconya*[20], and all forms of governing interactions exhibited

[18] The papers include: "Museveni denounces Sudan's treachery". *New Vision*, 25th August 1986; Anon (1987) "NRA to cover rebel areas". *New Vision*, n.d, August 1987.

[19] I held discussions with Professor Tim Allen in Gulu when he was investigating the question of International Criminal Court and the LRA in 2005 and later on had a healthy disagreement on his viewpoints as we discussed Acholi on his next visit. I also met several times with Professor Atkinson and have been working with him in 2013 to 2015 in the development of a land conflict research for the Joint Leaders of the Acholi sub-region. I had some phone and e-mail exchanges with Professor Finnstrom in 2011 and many after that.

[20] The word "*aconya*" was previously used by Odongo-Onyango to describe the Arab speakers who fused trade in slave and ivory with robbery in Acholiland. In this study, it has been used in its right context as explained by elders in Achoil, to mean enemies of the society. Hence, both pre-colonial and colonial interactions have been described as oppressive and therefore an *aconya* period

by these outsiders aimed to radicle local authorities, to subdue the entire system and subjected them to new and oppressive orders worse than their own[21].

Regrettably, post-independent governments since October 9, 1962, retained most of the governing traits adopted by colonialism and as such, political violence remained a landmark feature within the Acholi establishment, weaved in the daily rituals of an Acholi – manifested even in the naming of children and in the popular songs[22]. As such, most Ugandans, especially of Acholi origin, and external scholars were bewildered by the narratives of violence in Acholiland, its continuity especially after January 25, 1986. In fact, the intensity, widespread effects and legacy of these dissonances are epitomised by unprecedented abductions[23], rapes, and the deepening political divide between Acholi and the rest of Uganda over the last one hundred and fifty years (Allen, 2006:53-72; 2003; Branch, 2011:63-66).

Secondly, the core function of narratives, which is to organise, contain, and even probe these acts of violence, was, in many ways, compromised, not only by the visibility of the outcomes of physical violence, but also the meaning given to it thus far (Varadharajan, 2008: 124). The lack of broad-based analyses and the outlook of violence on the one hand, and the perceptions and orientations of the narrators on the other hand, have changed the meaning of suffering in Acholiland – both the old and the contemporary reality[24]. In essence, it altered the understanding of how violence dovetailed with structural and intentional dimensions of governance.

The other justification is rooted in *kaka*'s shifting legitimacy. Trust, demonstrated by forms of reciprocities, is an ingredient of legitimacy. However, with continuing reforms in the governing structures, the demand to reconstruct a new political identity has automatically shifted to the state and its analogues. The question is how the state's political agents have redefined the parameters of

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[21] Dennis Pain and Uma have provided information regarding Acholi's interaction with the Arab. On the relationship of the Acholi with colonial powers, Finnstrom, 2008, Branch, 2011 and Onek-Adyanga, 2011 are good examples of analytical work.

[22] Finnstrom, 2008 in Chapter 4 discussed the tragedy of governing interactions the Acholi community has experienced since precolonial era.

[23] Phuong, et al, 2008 discussed that at its peak, close to 38,000 children had been abducted by the LRA according to some sources.

[24] Most scholarly analyses followed single discipline. Examples are political (see Bere, 1947; Branch, 2006, 2011), historical (see: Crazzolara, 1953; Atkinson, 1986,1999, 2010), anthropology (See: Allen, 1998, 2006; Finnström, 2003, 2008).

political identity, and the corresponding contents, in ensuring that the Acholiland change for the good, instead of getting stuck in the past, especially the daunting poverty levels.

In the construction of comprehensive knowledge of such complexity, embodying multifaceted concepts and multiple periods, one needs to use what Coney (1984) refers to as language games, which embrace all areas of knowledge (Coney, 1984, cited by Smith, 1998:286). This is because these issues require construction in their own context, without "over" generalisation (Sawyer, 1992, cited from Smith, 1998:326). Thus, constructing knowledge and giving meanings and interpretations to such a complex situation requires not only innovation, but also a good understanding of the meanings expressed by those who have lived it, seen it and felt it. This is because violence of the stated magnitude is highly differentiated and often socially mediated and transcends technicality or imagination. In the case of Acholiland, violence seems to be deeply inscribed in modernity. It is presumably caused by social liabilities, which are specific to a society and therefore need to be understood, preferably by someone who has lived it and understands the narratives from a local point of view, and has a good grip of national governance issues, and global perspectives and context (Denzil and Lincoln, 2003:9).

Hence, with such lived experience, studying the Acholi as a researcher who is also an Acholi is, if anything, the most informative, self-reflective and introspective "bricolage" when applied with respect and "objectivity" (See: Denzil and Lincoln, 2003:8-12). There is a large amount of literature for researching into one's own society, or a system that one is familiar with (Example: Vidich and Lyman, 2003). In fact, I argue that researching into a familiar culture, especially when it can "bring into perspective the invisibility of the new and previously obscured image of the society" is perhaps the most compelling contribution to knowledge generation. Denzil and Lincoln (2003:9) for instance, agree that one's knowledge of a society is important because, in any case, an interpretive "bricoleur" understands that research is an interactive process shaped by one's personal history, biography, gender, social class, and by those of the people in the setting.

Scope of the study

The period of this study spans three political eras of historical significance; the *aconya*[25] period or colonial era (1898 to 1962); the early post-colonial period (1962 to 1985), which was further categorised into different sub-eras that correspond to the political regimes of Obote 1 (1962 to 1971), Idi Amin (1971 to 1979) and Obote II (1979 to 1986); and the latter part of the postcolonial era under Yoweri K. Museveni's National Resistance Movement (NRM), 1986 to 2010. In the analysis, I also used *Pax Oboteca* to refer to his two terms, 1962 to 1971 and again 1980 to 1985, which was cumulatively thirteen years. Similarly, Idi Amin's regime is also referred to as *Pax Aminca* while Museveni as *Pax Musevenica* (Rubongoya, 2007:4)[26].

Table 1.1 – Key Political Eras in the History of the Acholi of Uganda

Political Era	Regimes	Periods	Years	Total	Rank
The *Aconya*	Slave Trade	1840 to 1898	54	54	2
	Colonialism	1898 to 1962	64	64	1
Post-colonial	*Pax Oboteca*	1962 to 1971	8	12	4
		1980 to 1985	4		
	Pax Aminca	1971 to 1979	8	8	5
	Pax Musevenica	1986 to 2010	24	24	3

Source: Field Data Analysis, 2014

In my attempt to conceptualise change outcomes in community governance, I have reasoned that viewing outcomes of change in community governance over a long time frame enables a characteristic understanding of the changing mantra in governance from a traditional praxis[27]. The year 1898 was chosen as a start point for several reasons. However, the principal reason for this

[25] The word "*aconya*" was previously used by Odongo-Onyango to describe the Arab speakers who fused trade in slave and ivory with robbery in Acholiland. In this study, it has been used in its right context as explained by elders in Achoil, to mean enemies of the society. Hence, both pre-colonial and colonial interactions have been described as oppressive and therefore an *aconya* period.

[26] Joshua R. Rubongoya (2007) used *Pax Musevenica* to refer to the period of his rule and thus the political order ushered by the NRM, which I have adopted. Similarly, I have used *Pax Aminica* and *Pax Oboteca* with respect to their own political orders.

[27] See Hohne, 2006 in the case of Somalia

project is that Major MacDonald of the Imperial British Corporation (IBCL) signed treaties with a number of *rwodi* Acholi in that year. The treaties, henceforth, legally subordinated Acholiland to the Uganda Protectorate (Gertzel, 1974:57). The year that followed, in 1899, Major Delme-Radcliffe began to identify *rwodi* for indirect rule, a task that he found difficult to complete because Acholiland lacked the autocratic forms of leaders required for indirect rule (Bere, 1947:57). The year 2010 was chosen for this project because a number of the Acholi community had begun to settle in their homes after leaving in the infamous protected camps for internally displaced persons, where they had stayed for over twenty years[28].

This study discusses the NRM regime (1986 to 2010) extensively since this, based on Table 1.1 above, has been not only a very long post-independent era but also one with significant and distinctive contributions to the issues of community governance in Acholiland (Branch, 2004, 2011:40-63; Finnström, 2008; Dolan, 2010). Evidently, the memories and symbols of the *Pax Musevenica* are also very fresh in the minds of most Acholi[29]. Within the boundaries of these social sciences and humanities milestones, I have drawn some conclusions regarding outcomes of changes in community governance practices. These conclusions include the nature of change in the governing actors and in the practices associated with the governing institutions. These changes are linked to the corresponding behaviours of the communities, both in the short and long-term.

Some Relationships, Definitions and Terminologies

In the study, I have used the terms "conflict", "violent conflict" and "violence" repeatedly. In the case of conflict, I concur with the respondents that

[28] Displacement started as early as in the 1986 following the capture of Acholiland by the NRA in March 1986. However, the official version of displacement in Acholiland has been tied to the LRA war periods, which started in the 1987 and often to the official announcement by government in 2002 that people, should move to the camps. This, however, is not correct. In this study, I have relied on field versions of these events as communicated by the respondents. Similarly, return to ancestoral lands or where people were displaced has also been spread over a long period beyond the official point referred to as in 2006. Even to-date, some areas still have displaced people who are no longer being served by the INGOs.

[29] By 2010, some 75 per cent of the Acholi population were either born during the NRM period or were less than 8 years old when the NRM came into power in 1986. Also, the numerous "protected camps" that remain the legacy of the regime were still found in Acholiland and so were the absence of public services and the high level of poverty associated with the regime.

conflict often symbolises disagreements or differences in the contents, opinions or principles[30]. Especially in matters of governance, the contents of governing issues and the manner in which they are sometimes communicated or implemented can cause disagreements. However, such disagreements can be resolved amicably. Conflicts are therefore inevitable and are clearly the manifestation of human behaviours and situations. Conflict, however, can turn violent when the parties involved take positions on matters that are equally important to them. Violent conflicts include wars – whether civil wars, insurgencies, genocides or any form that encourage the use of force.

Violence on the other hand, includes unwarranted or unjustified exertion of authority with the view of undermining ones rights or laws as manifested in shouting at, labelling and suggesting that others are inferior or less significant. As further discussed in chapter three, prejudices are violation of people's rights and are forms of violence. The latter can be physical, psychological, sexual or through deprivation. It can also be self- inflicted or caused by others.

Social-political

Jan Kooiman (2003) argues that "social-political" is the interaction between the social and the political in response to diversity and complexity of governing efforts and the resulting governing outcomes, mediated by differentiated actors (Kooiman, 2003:6-9). "Social-political", however, is contextual and more complex in fragile situations as further discussed later in Chapters 4 to 7. Acholi *macon* therefore, was social-political - with multi-layered and multilateral governing realms and interactions - embracing diversities in the content and modes of governance. Unlike the contemporary one, Acholi *macon* as a system, demonstrated forms of facultative mutualisms – that predominantly exercised hierarchical authority at a primordial level - while the contemporary one, as we will see later, manifests forms of "limited statehood" (see: Risse, 2011: 1-6).

In the case of the former, there are shared responsibilities based on mutual respect and carrying capacities of the stakeholders. However, in the case of limited statehood, the state delegates some of its core governing roles to non-state actors in an arrangement that misses the hierarchical bureaucracy typical of a modern state (see: Branch, 2001:47). These changes in the governing modes

[30] See also: Jehn and Mannix, 2001 for more discussion on the dynamics of conflicts.

have not only challenged state legitimacy. They have equally reshuffled the governing structures and introduced violence as a preferred mechanism for enforcing governing actions.

The Acholi *macon's* different governing entities, namely: i) *dog odi (dog ot* for singular), which were the foundation or the households, ii) *dye-kal* or *paci*, were groups of *odi* that were lineages or corporate families – identified by a common *wang oor* or the evening bonfire and patrilineal shrine or *kac*; (iii) *dog gangi (gang* for singular*)* - collections of these related *paci/dye-kal* that recognised a common eponymous ancestor. *Gangi* were the modern villages, and first level of ethnic identity. In ethnic term, this was the communal level of governance because they were in their own terms, identified by common village shrines, *abila* – which were a collection of all lower shrines or *kac* of the corporate or lineages that were linked to the specific *abila* and *mwoc*, which were bragging flirtations symbolic of *gangi* establishments; and (iv) *kaka*, which were the consociations of a number of *gangi* agnates and therefore, the second level of ethnic identity. Atkinson referred to the latter as chiefdom (Atkinson, 2010:61-66, 77-78).

Dog in Acholi refers to a unit and literally translated as "mouth of" and therefore, an entry point. Thus, *dog kaka* refers to *kaka* a political unit, which was named after the eponymous ancestor of the governing realms or physical features (Crazzolara, 1954: 325-328)[31]. *Ot* was a hut headed by a man, a *won ot* literally the father of the hut. Every *ot* also had a wife or *dako ot* – literally wife of the house/hut. *Dako (mon* for plural) owned the hut and therefore was *min ot*, translated as the mother of the hut[32]. The hut sometimes had children or *litino (latin* for singular). *Litino* were girls, *anyira (nyako* for singular) or boys, that is, *awobe* (*awobi* for singular). *Dako ot* was also *min ot* – *min* referring to motherhood and *mego* as title of respect and recognition in the clan. As a sister of one's father, she was an aunt, *wayo (waci* for plural*).* As mother of the children, *megi litino*, she graduates fully into a member of the clan she is married into. Hence, *mego* was a status that legitimised her as a recognised and putative clan member.

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[31] *Kaka* like Payiira, Patiko and Pabbo were named after their eponymous ancestors. However, some like Lamogi according to Crazzolara were not although from discussion, Mogi was a brother to Boya who was the founder of Pabbo.

[32] Huts like anthills are some of the rear things that are personified in the Acholi custom. This is unlike children, who tend to remain a belonging of the entire clan.

Won (wego for plural), on the other hand was the head of the hut, that is, a leader (*latela*), a pater or *wego/won* and also a husband (*cwar*). *Lacoo* (male) is the opposite of *dako (*female). He is *won ot (wegi odi* for plural) – literally, the father of the house. He is the patrilineal elder or *ladit (ludito* for plural) in the household. Together with his brothers or *omego (omin* for single) and sisters or *lumego (lamin* for single), they constitute the corporate family, the *dye-kal* of their father. The Acholi considers extended families as kinship or *wadi obeno / remo (wat obeno / remo* for singular), which is translated as blood relatives. When a man grew old, he became not only *ladit*, he would also become a grandpa or *kwaro* while his wife becomes *dayo* as grandma.

Social-political systems

In this study, a social-political system includes the pattern of interactions or relationships across and outside the community. Within the Acholi system, this involved the *dog odi, dye-kal/dog paci, dog gangi* and *dog kaka*. Within these different layers of governing entities, three modes of governing interactions were exhibited. These were interference, interplay, and interventions (Kooiman, 2003:4-6). Interference was an informal kind of interaction. It was less organised and based on the predominant governing practices of the Acholi. It was the primary process of societal interactions[33]. Interplay, on the other hand, depicts informal exchanges between social-political actors who occupied similar social hierarchy. For instance, interplay represented the dominant interactions of *ludito, megi* and other social categories - leaders of the different communal groups[34]. It was collective rather than an independent form of interaction by nature[35]. The interactions were regulated, gender differentiated and more supportive and specialised. The last type of intervention was hierarchical. It was often formal but also in the case of informality, regulated - and carries with it authority, yet interactions inhabited mutuality and learning. *Won paco* as a headman of the

[33] The general view I get from oral narratives when discussing hierarchial governance in *kaka* is the portrayal that it was embedded in interactions that were regulated rather than commanded. However, commands were applied and were very evident at the household and corporate levels, in enforcing corporate values as a form of communal identity. However, at other levels, values were regulated and demanded self-enforcement most of the time. This, I have discussed further in Chapter 4-7.

[34] "*Ditto*" in Acholi describes a status and is therefore neutral – used for both women and men. However, *ladit* as a title is gender bias for men. The female analogue is *mego,* which is a title for respected women.

[35] Discussion with Charles Alai, in Gulu dated April 2004

dye-kal had both a duty and the authority to ensure compliance with patrilineal codes of behaviours.

As a social-political system, Acholiland is what Fiona (1998) referred to as a "community in place" or a society defined by both the contents and contestation of the societal structural dimensions of interactions, namely the cultural norms and the value systems of its people (Kooiman, 2003:8; De Angelis, 2001:7). But *gangi* agnates were community groups, or a sub-society of a collective, the *kaka*, which was defined by interests (Crazzolara, 1954:325-326). As discussed in more detail in Chapter Four, Acholi's terms for these sub-societies of clans, the *gangi* agnates were also *kaka*. This is because *kaka* was about brotherhood – an economy that traded on human currency - entrustments. These *gangi* formed "multiple systems of overlapping and intersecting socio-economic networks" of differentiated authorities that shared common purposes and interests, values and cultural norms (Mann, 1982:2). Dwyer (1972:14) counters that the traditional political system of the Acholi was unique because it was neither segmentary nor centralised. It consisted of these sub-systems, each with relatively independent decision making organisations, which collectively became known as the Acholi tribe.

Study location – the geographical aspect

Acholiland, in this study, refers to a geographical location within Uganda, which in 1902 was politically designated as an ethnic territory (See Map of Uganda). Today, Acholiland consists of the Amuru, Nwoya, and Gulu districts, which traditionally are the *lupiny* or the Acholi living west of Aswa River, which split Acholiland North-South into two, while the Kitgum, Lamwo, Agago and Pader districts are occupied by the *lumalo* - the Acholi of the east (Finnström, 2008:33).

The territorial components represented human settlements, which were occupied by the different *gangi* agnates. According to scholars, these *gangi* agnates were the foundations of the Acholi political identity and ethnicity (see: Crazzolara, 1951; Atkinson, 2010:41,66,75,77; Bere, 1947:3-5). As discussed in Chapter Four, the agnates, according to scholars, were "of equal interests and significance" (e.g., Girling, 1960:82). In other words, *gangi* agnates had high attributes for autonomy or *autopoiesis* as a means of maintaining and preserving patrilineal identity.

Defining the Parameters of Research

In trying to place the outcomes of institutional change in context, this study looks at the complete spectrum of the Acholi's lived experiences over one hundred and ten years. In doing so, it attempts to link and compare contemporary governance outcomes and experiences with traditional praxis (see: Allen, 1998:18). This, I argue, is in tandem with earlier work by scholars in Africa (e.g., Hohne, 2006:4-5). In spite of the difficulties associated with collecting some concrete supporting evidence over such a long period, the study avoided conflating myths and folklore, or selective representation, with realities. It thus sets observed interactions and discourses against what Allen (1998:48) called the "hypothesised archive of knowledge" – the realities that are often not spoken of, but lie just beneath the surface of daily governance activity, and are generally better understood by living them.

In the study, institutional change is broadly viewed as the struggles, of varying intensity, over shared expectations, and evolving governing fundamentals that pitched the Acholi community against other social-political agencies, most of them external to the Acholi systems. The assumption is that institutional change often aims to improve governance, which is bettering societal governing interactions. However, the reality as detailed in Chapter Five shows that most interactions with external forces have exhibited complex and diverse perspectives. The core argument in the thesis is that these external sources applied excess social powers and with conflicting interests, leading to outright overturning of the Acholi's interests, which was the growth of its agnatic identity through facultative mutualism.

Institutional change in the study is seen as the difference in the form, quality, or state of governing and governance from 1898 through to 2010. This I have determined by carefully observing changes in the indicators of the selected governing attributions for each of the governing periods, on a number of dimensions as laid out in *Table 1.1*. The specific periods for when data were collected for a given regime varied. For instance, most data on colonial regimes were collected from reports and literature. In some instances, they are not specific about the period. However, data in the last thirty years or so could easily be traced in some instances to specific dates.

Institutional change outcomes on the other hand are understood as practices, precedents or habits resulting from actions and activities of the different governing social-political actors – who were diverse and in many instances varied with the regime types. Change outcomes are designed to satisfy the various social and political needs of the system. In addition, they cannot easily be specified to a period because they are incremental in nature. As such, institutional outcomes are reports and/or measures of actual or perceived effectiveness, relevance, and appropriateness of change in the governance practices by the governing entities that constituted or replaced *kaka* Acholi. While community expectations are dynamic, the distinct dimensions, or indicators, of governing elements considered below, are specific:

(i) Actual and/or perceived quality, form or state of the governing entities, *kaka*, and their political leaders as perceived by the community since 1898 through to 2010 – as the *Governing Image;*

(ii) Actual and/or perceived quality, form or state of both the general, and especially the specific social rules, in guiding governing actions by governing actors since 1898 through to 2010 – as the *Governing Instruments*; and

(iii) Actual and/or perceived quality, form and state of governing practices or behaviours of the governing actors since 1898 through to 2010 – as *Governing Actions.*

A broad definition of institutional change outcomes is used to try to capture community governance as a multilayer concept, which affects a wide variety of institutional types. However, this study has placed emphasis only on political institutions because it discusses governance. This is because political institutions deal with power distribution (see for instance: Fukuyana, 2013). *Table 1.1* below, highlights the indicators for measurements or reporting changes in the elements identified.

The central logic of the study

Community governance in Acholiland's past and present, and how violence has shaped its course, has been researched in a reflective, interdisciplinary, dialectic and critical manner. Conversely, community

governance as a concept is a contested space and in exploring realities associated with it, an interdisciplinary lens is the most desirable (Newell, 2010a). This is because peace studies draw explicitly on the different disciplines, to provide insights about the lived and felt experiences of the Acholi with the intention to integrate these insights into new products, new knowledge and with new meanings (e.g., Bal, 2002:27).

Table 1.2: Change Outcomes Indicators for Governance

Conceptual Areas	**Types**	**Measures**
Governing images of the governing bodies in relation to expectations	Constitutive attributions	- Changes in legal and policy frameworks for good governance - Enacted Institutional arrangements for implementation of collective action
	Operational attributions	- Effective, embedded and responsive governing actors - Effective, functional and responsive political institutions of governance - Effective, responsive and demand-led political systems
Governing actions aimed at enhancing community expectations	Constitutive attributions	- Effective legal and policy framework for service delivery embracing all areas of community needs - Framework for interactive governing actors
	Operational attributions	- Effective and responsive provision of demanded services in social safety nets and human security - Effective, functional and responsive governing interactions involving public, private and civil

		societies
Governing instruments enacted and shaping community expectations	Constitutive attributions	- Relevance and embeddedness of general rules built on societal bases - The balancing of soft and hard governing instruments for general acceptance
	Operational attributions	- The practices and applications of formal and informal instruments - Acceptability of and applicability of selected governing instruments for transformative change

Source: Field Data Analysis, 2013

For more than sixty years – 1898 to 1962 - the colonial authorities deliberately managed Acholiland under a separate and unique customary law[36]. This was followed by another forty-eight years -1962 to 2010 – of "coloniality" with mixed and varying regularities[37]. In all these reforms, the Ugandan state and other external actors, sought to transform *kaka's* pluralism into singularity, where "rights-based" moralities dominate governing actions (see for instance: Woods, 2003:1)[38]. This thesis makes the argument that imposed change - however significant – normally fails to be transformative in nature (McAdams, 2000). Rather, as McAdam (2000) explains, such phenomena transpose older conflicts and cultures within new structures.

[36] The customary laws, according to my analysis, were hybrids of selected customs from both the Acholi and the Baganda and were fixed with the British's own colonial rules, creating a despotic regime that had uncontrolled authority as I have further discussed in Chapter Three in some more details.

[37] Since independence in October 9, 1962, there has been in total seven types of central governance that had different relationships with the Acholi people, namely: 1962 to 1966, 1966 to 1971; 1971 to 1979; 1979 to 1980; 1980 to 1985; 1985 to 1986; and 1986 to date

[38] Woods (2003), where he argues that the dominant discourse of right-based morality is the autonomy of an individual, i.e., right bearing individual.

Conceptualisation of the Research

The underlying research assumptions

The study assumes that, by 1898, the governing structures that constituted *kaka* polities were homologous in spite of their different levels of political and structural development and maturity (Atkinson, 2010:80-82, 125-126). Each governing level of each *kaka* had its rules, systems and leaders, mediated by their different circumstances and ethnicity (Atkinson, 1999, 2010:66, 70). This means that the methods of analyses used for each are transferable to the other (see: Casey, 2010:351). However, the older and larger ones might have been better governed and developed internal agnates (Atkinson, 2010: 84-86). As such, changes might have impacted each of them differently. In part also, all these governing entities had distinct cultural orientations and political ways of 'adapting' to different types of institutional change[39].

Secondly, insights into the history of their interactions, and the nature of such interactions and behaviours can best be understood from an interdisciplinary approach. This is because insights from a single discipline cannot explain adequately the pervasiveness and especially the typologies of violence as a reality in Acholiland. Rather, what is desirable is to apply a problem-based approach to situate these complex issues of prolonged insurgency, high mortality amongst children, and rocketing poverty in the twenty-first century within the real world (Tepstra *et al*., 2010: 509).

Case selection and composition

The entire *kaka* Acholi as a political community is selected as the case for this study. As such, the Acholi constitutes the fundamental focus of the analysis, that is, the object of the study (Rihoux and Ragin, 2009:124). The Acholi is a contemporary political community or at best, a colonial society. Its "traditional" aspects were made up of several homologous governing entities – *the dog odi, dog paco/dye-kal, dog gang and dog kaka* – and these structures

[39] See some of the differentiations in culture between *lumalo* and *lupiny* groups or *lwak* agnates and the *luker* agnates in the Chapters that follow.

constitute the units of observations. These governing levels are indicated in *Table 1.2* below in column one and are discussed in detail in Chapter Four[40].

In the selection of Acholiland as a unit of analysis, a number of steps were taken to ensure good interpretation. Foremost was narrowing the focus of this research to the specific concern – understanding the trends of change outcomes or governing practices at these different political units at different time over the last one hundred and twenty years. With this clarification, only those units of observation that demonstrated diversity in governance, had a recognised history of governing practices and were accessible to the research team, were selected.

Finnica (2001) notes that units of analysis are sometimes selected so that they are estimated to produce similar outcomes or literal replication. In some instances, however, they are selected to produce contradictory outcomes or theoretical replication. In this study, the Acholi community is selected as a unit of analysis to achieve a combination of both these aspects – which is to ensure that the diversities and similarities within the governing realms arising from their maturity, characters and human differences and localities are included in generating the desired data for interpretation. The data for comparative study of the change outcomes was observed across these different governance levels.

Table 1.3: Levels and Units of Analysis in a Study of Changes in Governing Practices, 1898 to 2010

Levels of analysis	Units of analysis
Acholi Territory	Quality and forms of governing image, instruments and actions from the different *kaka* Acholi
Dog Kaka	(a) Average views collected regarding (a) to (c) below from the *dog gangi* levels of governance; (b) issues that have been consistent and those that are location specific
Dog Gang	a) Average views collected regarding (a) to (c) below from the *dog odi* levels of governance; (b) issues that have been consistent and those that are location specific

[40] Three traditional governing levels correspond to and in some instances, are subsumed in the current Local Government structures. Village or parish levels are in most instances the traditional *gang* agnates. Counties on the other hand, are the *kaka* and in some instances combined with other *kaka* as discussed elsewhere in the report

Dye-kal – focusing on the unit as a cluster of governing units in relation to outside and internal governance	Cumulative effects of (a) to (c) below
Dog ot/keno - focusing on the units and the individuals in the unit	(a) Changes in levels of autonomies for units and individuals; b) changes in nature and quality of interactions within households and outside; c) changes in the quality and form of governing policies and rules affecting households.

Source: Field Data Analysis, 2013

Its historical context, patterns and dynamism encapsulate the three major eras: pre-colonial, colonial and post-independent, with significant similarity (see: Atkinson, 2010). Second, there were commonalities in the political governance structures and systems among the different polities from 1898, going forward (Girling, 1960: 174-204). Therefore, focusing this research on a few units of observation increases the feasibility of the analysis. Moreover, understanding the history of governance in Acholiland under the investigation is an important basis for understanding the conflict cultures of the present[41].

Overall, it can be generally concluded that the differences in change outcomes within *kaka* were significantly more than between them. Within *kaka* like Lamogi, the various governing entities – *the dog odi, the dye-kal and the gangi* - held some level of autonomy that was further enhanced through the creation of formal administrative systems at the County levels, which is most instances corresponded a collection of *kaka* levels[42]. Many of the changes within

[41] Five *kaka* were studied rather extensively although others were reviewed as well. These were Lamogi and Alero from the western political zone, Patiko and Payiira from the central and Pajule from the eastern political zone. In each case, three *gangi* agnates and between 2-3 *dye-kal* were sampled and studied from 2001 to 2014. These units of observation were combined with the rich data in Girling (1960) and other cases. For *gangi* and *dye-kal* a lot of viewpoints were collected from different individuals in Gulu, Kitgum and Amuru during functions like funeral rites or visits to schools.

[42] As further discussed in Chapters Four to Six, in some instances, a number of smaller *kaka* units were amalgamated into a County as a modern administrative centre. Thus, several *gangi*, sometimes as many as hundred or five *kaka* made up a

these polities also took place within agnatic settings, mediated by both internal and external factors[43]. The external logic included induced policies and to some extent, markets. The existence of Churches in some areas, for instance, also significantly affected change in the institutions of governance. Consequently, the cases of the selected *kaka* and the associated agnates were representative of the whole society.

The research questions and analytical methods

Specifically, this study is guided by the following questions:

a) What have been the impacts of change in the quality of community leaders and ii) how do Acholi now conceptualise community governance?

b) What has been the nature of change observed in *kaka* as community governance system, and (ii) what factors account for the changes?

c) , What have been the key changes in community governance practices? And,

d) Why and how has violence remained a significant factor in Acholiland over the years?

In addition to addressing the research questions above, an important product of this research is the development of a hermeneutic approach to the method of Qualitative Comparative Analysis (QCA)[44], which is the analytical tool. It explicitly and implicitly examines, through a case study, the processes and outcomes of societal change in terms of its political content and contestation for political space. Changes involve the entire political structures and how they influence relationships: political allegiances, purposes, legitimacy and authority, and their responsiveness to the different governing constituencies.

Some changes within the governance systems reviewed include the struggles to restructure authorities, accountability and representation of all

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County as was the case with Kilak Country where Lamogi, Pagak, Parabongo, Toro – which made up the new Lamogi sub-county, combined with *kaka* Atiak, Pabbo and Alero to make up Kilak County in the 1950s

[43] One can argue that markets could have been part of the factors. However, market was not given the opportunity to prime demands as both colonialism and coloniality undermined perfect market operations.

[44] Hereon, the word 'hermeneutic' is understood as interpretative and understanding, in contrast to the usual causal application by Ragin (1987, 1994a)

internal actors[45]. As such, this research focuses on institutional change outcomes that embrace the entire Acholi society. It is a comprehensive focus that embraces a number of disciplines. It is historical as it traces events across periods and space. It is political as it engages on the issues of power relationships among the stakeholders. It is also anthropological, that is, embracing social, legal and economic anthropologies, as it seeks to understand the culture of change in the context of humanity, and it is psychological because it looks at behavioural change.

Approach to the Research

I have used a mixture of variance and process theories to explain change outcomes (see: Van de Ven, 1992; Mohr, 1982). Firstly, this approach identifies institutional change outcomes as a key independent explanatory variable that statistically explains changes in perceptions over time from 1898 through to 2010. Secondly, it develops the narratives in order to explain why the sequences of discrete social-political events occurred at the specific time in history within the associated context thereof.

The outcomes are reported and measured as they unfold within the pluralistic systems of governance. On the basis of participant observation and literature reviews, a framework for comprehensive dialogues - structured and open-ended interviews, focused group discussions and individual interviews were carried out[46]. As part of the research interaction, a number of indicators that report on changes in the three governing elements were developed, as detailed in Annex 1.3. As an approach, the investigation began by focusing on the most recent events and worked backwards into the far past, the details of which were mostly available from literature[47]. This was because it became evident that the memories and experiences of the most recent events were still vivid and easily remembered (Allen, 1998). Insights into the state of events, such as the

[45] Examples are the rules and norms for participation and representation of the polities, and rules and/or norms against conflict of interests

[46] In Chapter Eight, I enumerated in some detail, the encounters and experiences of data collection during the project.

[47] Hence, the difference in the quality and form of the observed changes in governance at several points, corresponding to the different political regimes, is assumed to capture changes in perception of the respondents.

effectiveness of leaders, were reported based on the viewpoints of the respondents[48]. It was rated 1 (one) when the contributions were effective and had positive impacts in the lives of the people, or set some precedents, and if so, what kind of precedents these were. However, it was 0 (zero) if the contributions were the opposite. The dimensions for these measurements were either cognitive, normative, or clarity in regulations. Where dimensions were cognitive, they were discussed in focus groups to generate the required evidence for such a judgement. The differences observed between the regimes are expressed both qualitatively and statistically in comparison to the past as well as the expected dimensions.

Hence, any noticeable difference (perceived or real) was used to make conclusions about change, and the reported extent of such changes was attributed to the event and its magnitude. The study has, therefore, given considerable attention not only to the landscape of the difference, that is, the qualitative nature of what has changed, it also profiled how change happened, the process of change (See also: Scouvart, 2006)[49].

Processes, as a category of concepts or variables, normally pertain to actions and activities and, therefore, are associated with the "variance theory" of change, in which a set of independent variables statistically explain the variations in some outcome criteria, the dependent variables (e.g., Mohr, 1982)[50]. However, processes under certain instances also provide a narrative description of how political events ensued and changed (Van de Ven, 1982). As such, it is

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[48] For instance, the quality of community leaders as a measure of their embeddedness in the society was reported by categorising the responses of the different respondents on how they felt such leaders were effectiveness on the achievements of community goals. In the early 1900s to 1962, we looked at the successes achieved by leaders on priority issues like amalgamation of tribes, the land questions and education. Similarly, in the last 30 years we focused on the land issues, creation of districts and insecurity in the region.

[49] For instance, the institution of marriage was said to have changed significantly based on what the practices were by the 1960s. Respondents were also able to walk me through how this happened in each period of political governance and the likely reasons thereof. Thus, the study captured the processes of change, the extents and as well, the qualitative nature of the difference between them.

[50] For instance, displacement as a phenomenon was triggered through actions and activities of the government and the LRA. The most traumatised episodes, which ended in 2010, were a combined result of governing actions - including policy statements that triggered forceful or interactive movements of people as an activity - and voluntary movements into the camps.

associated with a "process theory" explanation of the temporal order and sequence, in which a discrete set of change events, in this case influencing the management of, responsiveness to, and involvement of, the Acholi community, occurred based on a story or historical narrative (Van de Ven et al, 2000; Abbot, 1988).

Data collection methods and strategies

In order to adequately capture the spectrum of the project, including what Kant refers to as "knowing the subject", I abstracted from my primary and secondary sources the precise attributes of social-political governance of the Acholi people (Kant, 1781/1987 cited in Smith, 1998: 280; Sayer, 1992:86). I used secondary sources and the results of my own fieldwork in Acholiland to guide my exploration in both specific and broad issues on community governance (see for instance: Oloya *et al*., 1998; Ayo and Oloya, 2001). As such, the research undertaken here was more extensive than originally envisaged because it benefitted from my earlier professional work in the region but also overlapped with other projects that I was responsible for in the territory. The data from these additional works, to the best of my knowledge, has not been published elsewhere. However, a number of reports have been written following these work and they reflect my contributions as a lead or member of the team[51].

As an entry point sometime in 2003/2004, following possibly three years of participant observations and intensive literature reviews of major scholarships on the Acholi of Uganda[52], I interviewed twenty informants, both local and foreign[53]. The core objectives of the interviews were three-fold. Firstly, I wanted to get first-hand viewpoints from these experts on the current narratives on the Acholi following the LRA war and their knowledge of the general trends in community governance in Acholiland. I also wanted to get their opinions on the sampling of observations for representative information for the topic. Secondly, I

[51] See for instance the World Bank's Appraisal Document for NUSAF project, 2001 and the subsequent supervision reports, 2001 to 2005 referred to in the bibliography.

[52] These include: Girling, 1960; Atkinson, 1999; Allen, 1998; Crazzolara, 1950, 1954.

[53] I have referred to these resource persons as trailblazers because they helped me in setting on the path for full-scale interviews. These comprised eight men and tweleve women, thirty-seven and thirty eight per cent respectively of these were foreigners. They were scholars, administrators, local and opinion leaders, politicians, development workers and members of civil societies. Most of them had worked in Acholi for not less than ten years.

wanted additional and an authoritative list of informants to consult going forward. Finally, as an insider, I needed their own take of my engagement in this work and things I needed to take note of *apriori*. This initiative helped me not only to "bind the case" conceptually, but also gave a list of useful informants both within and outside Acholiland[54].

In order to focus the data collection, I identified seven of the known *kaka* found in Acholiland as my prime observations[55]. Within each of the *kaka* selected, I examined at most a minimum of two-*gangi* levels governance, three *dye-kal* and ten *dog odi* entities. For *dog odi*, I was able to speak to one hundred and fifty of them, spread over the research period. They were randomly picked but involved both the *luker* and *lwak* lineages. I also talked to ten households that represent the *lubong*. Of these, three households were from *kaka* Palabek Kal. The selection of observations was influenced by the outcomes of desk studies, the guidance of the initial respondents, the trailblazers, and accessibility due to the prevalent of insecurity in Acholiland. In the case of Patiko, Payiira and Pajule, the availability of secondary data was also a strong selection factor (Atkinson, 2010:84-91).

The data gathered from the seven core observations consists of some ten years' of participant observations[56], about fifteen questionnaires, fifty semi-structured interviews, and thirty focused group interviews with specialists representing interest groups, politicians, opinion leaders, administrators, researchers and the media[57]. These formal discussions were complemented by

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[54] Grateful to Retired Bishop Mac Ochola, Denis Pain, Caroline Opok of the World Food Program, Father Joseph Okumu and John Odongo-Onyango among others for this part.

[55] The numbers of *kaka* that made up contemporary Acholiland have been contested and further discussed in Chapter Four. Others claim that it varied from 45 to 77. The *kaka* I used in the study were *Kaka* Patiko, *Kaka* Lamogi, *Kaka* Payiira, *Kaka* Pajule, *Kaka* Alero, *Kaka* Atiak and *Kaka* Koch.

[56] I distinguish in this research between observations and participation. In the former case, I relied on my fieldwork to validate through observations, the findings that emerged during my earlier work for Oxfam-UK and the other donors. One case was in how *ludito kaka* continued to enforce patrilineal norms while in the camps during meetings organised by other NGOs or camp leaders. However, in the case of participation, I was involved in most of the discussions of events like children, marriages and *kaka* with my peers as well as my elders (female and male) on events that were familiar to whole of us, to compare notes on how we perceived these things.

[57] In total about four hundred and fifty four, covering the seven cases over a period of ten years.

numerous informal in different forums. These exercise was spread over the ten years with most of them carried towards the end of the war in 2006 and thereafter. The data collection methods benefited from specialised approaches of the different disciplines. I then systematically validated some emerging issues around governance, violence and institutions through focus group discussion, structured interviews and informal probing during meetings, funerals, and over Skype. This was extended over a very long time and it helped to resolve some of the inconsistencies in the information that were being collected[58].

Relevant change outcomes for the study

In the case of Acholiland, it is sometimes very difficult to separate induced and extemporaneous change because of the overlapping nature of interests under fragility. Induced change tends to come from outside and from the top, and is not necessarily detrimental to society (North, 1994). In this research, it is irrelevant whether the main issue of debate relating to a specific change outcome is purely or only partly induced. A change outcome becomes relevant for this study if the political discourse related to the change is found to impact on what I have termed here social-political governance, and in particular, the three key concepts or variables for measuring governance outcomes.

Definition of attributes in change outcomes

The institutional change outcomes in the governance structures and community practices were isolated by first identifying the attributes of the governing practices and arrangements in the Acholi *macon*. In the study, I focused on both the "operational" and "constitutive" rules and practices, which have been the object of collective efforts by the community of polities that formed Acholiland. The violation of these collective efforts, I have suggested, constitutes human rights abuse. This is because the three parameters used: the governing

[58] Several of these informal discussions or focus group interviews I had planned with key respondents while attending funerals can not be assigned any specific names or location to keep these as informal and diffused. However, the majority of these engagements were planned either individuals or groups but turned out into groups meetings mainly based on self-interests of the others, who were pulled into the discussions because of the issues being discussed. In most cases, these became exchanges of views and important forums in which we validated core concepts and governing outcomes experienced in Acholiland. I had plenty of time to engage them in a participatory manner, challenging some the core evidence of for instance chiefdoms, *lyweny kaka*, and meanings of many of the Acholi's words used in governance like *gen, ribbe, dito*. What was relly rewarding about these meetings is the follow on meetings that I was able to secure with specific respondents that had compeling information that could validate or contradict earlier ones.

image, the governing instruments and actions, report on the fundamentals of the rights of the Acholi community. I also looked at selective incentives - which are formal instruments and practices due to institutional arrangements. Thus, the process and extent of change in community governance were examined at all the governing levels: *dog keno/ dog ot, dog dye-kal, dog gang* and at the *kaka* levels, and how other social-political actors contributed to the governing interactions[59]. Table 1.3 in the Annex shows the Categories of Rules and Practices that have been studied.

Research Strategy and Methods

Two complementary research strategies and methods are used to explore institutional change outcomes. These are case study (CS) and qualitative comparative analysis (QCA) and are discussed below.

Case study (CS)

Gerring (2007:115-116) makes two important conclusions for choosing case study as a research strategy. First, there is significant growth in interest in the case study as a design tool in comparative studies. Secondly, case studies as a method are capable of taking on many forms and can be used within any paradigm. In other words, the case study approach has an affinity with the interpretivist metatheory adopted for the study (Gerring, 2007:98-109).

Furthermore, this study involves practice-based problem solving, in which the context of the governing actions is critical. Bonoma (1983) contends that case study strategy is well situated in capturing the knowledge of practitioners and in documenting the experiences of the practice (Cepeda and Martin, 2006). Lor (2011:11) also notes that case study is quite useful for exploring phenomena and in determining causal relationships, in addition to the fact that it offers insights into research while dealing with heterogeneous entities.

In spite of some arguments against the relevance of single case studies (E.g., Danton, 1973:46-52; Krzys and Litton, 1983:27-29; Sartori, 1991:252), Gerring (2007) asserts that in comparative politics, social and political units like

[59] The effects of change were explored at the level of both the individual operational and constitutive rules and practices, including how they are perceived and conceptualised at the different levels of governance.

Acholi District Authorities or institutions like *kaka* "can also be chosen" instead of countries, which are the dominant type of cases (Gerring, 2007: 94-95). Furthermore, even when a case study does not itself constitute comparative research, "good descriptions of individual cases are useful as raw material for comparison, or as the first step in a comparative study" (Landman, 2008: 5).

Case studies as comparative research designs

Qualitative Comparative Analysis (QCA) was chosen both as a strategy and as the method of analysis for comparing the cases (Ragin, 1987, 1994a). Comparative strategy, according to Finnica (2001), is often interpreted differently in relation to qualitative and quantitative methods. As Alestalo (1992) affirmed, qualitative case-oriented and quantitative variable-oriented studies are normally considered as the two basic types of comparative strategies. Furthermore, he suggests that strategies of case-oriented comparisons can be based on searching for differences and similarities, universals or variation. Ragin (1994b) also distinguishes 'comparative research to study diversity' as the third main research strategy in addition to 'qualitative methods to study commonalties' and 'quantitative research to study covariation'.

In conducting comparisons of the units of observations, which were the *kaka* and their associated lower governing entities, focus is placed on first and foremost exploring commonalities, differences and diversity among them, rather than on searching for the universal truths[60]. In the case of information related to governance during Acholi *macon*, the most credible information from these cases came from specific studies by earlier scholars. Hence, a key decision for the study has been the choice of the observations for the purpose of generating or testing the set hypotheses.

A case is "a spatially delimited phenomenon observed […] over some period in time" (Gerring, 2007:94-95). It is often defined by research questions, which in this study, relate to change outcomes in community governance (Pennings et al., 1999:10-11). Accordingly, the focus is on Acholiland as a social-political unit in its historical specificity and full context (Gerring, 2007:92-95; Landman, 2008:5). As such, the reason for this case selection is on account

[60] Finnica (2001) also agrees that this is a common strategy of the method of analysis used in Qualitative Comparative Analysis. Additional focus ensures a good understanding of conflict culture as a case.

of its potential explanatory value, that is, the potential to collect reliable information regarding the study. An intensive study of a single *kaka* as a unit of observation for the purpose of understanding the whole society is limiting in its ability to portray the society as a whole. Thus, additional units of observations were included to broaden the intensity of analysis. Broadening samples, I argue, is technically a continuum of a single case study or what some scholars consider a cross-case study (Gerring, 2007:95). The choices of the additional samples were based on a number of justifications, including accessibility, importance in relation to the study, availability of earlier work on them, and evidence that some elders still existed to corroborate literature on the social groups[61].

Research processes

This research is based on Ragin's (1994b) notion that social research is characterised by a constant interplay between ideas and evidence. In *Figure 1.2* below, I presented a model of the social research process, the logic from which it is applied in this research. Ideas and theory represent a "reservoir of inclusive theoretical ideas" used to interpret the concepts and phenomena associated with change outcomes[62]. Critical Theory constitutes the main theoretical foundation for this research[63]. This is because it shies away from "over" generalisation and biases, hence, permitting researchers to be more critical and analytical of basic knowledge, and to provide grounded knowledge that is comprehensive (Casey, 2010:345-359).

Other important ideas include epistemological pluralism, which supports the understanding of the dynamic challenges in Acholiland and apply the learning to the analysis and interpretation of the phenomena (Welch, 2011:32). Additionally, scholarly work in the fields of political or social capital (See: Kooiman, 2003: Chapter 2), structural violence (e.g., Galtung, 1969:167-197), conflict cultures (e.g., Galtung, 1969:167-197), and transitional justice (e.g., De Greiff and Duthe, 2009) and how they relate to the governing elements, are also

[61] At the start of the research, I interviewed fifteen contact persons who are knowledgeable about the Acholi and who have had a strong attachment to the region. Through them, and our work at the World Bank, I was able to identify strong resource persons for the four *kaka* and the various agnates that were studied.

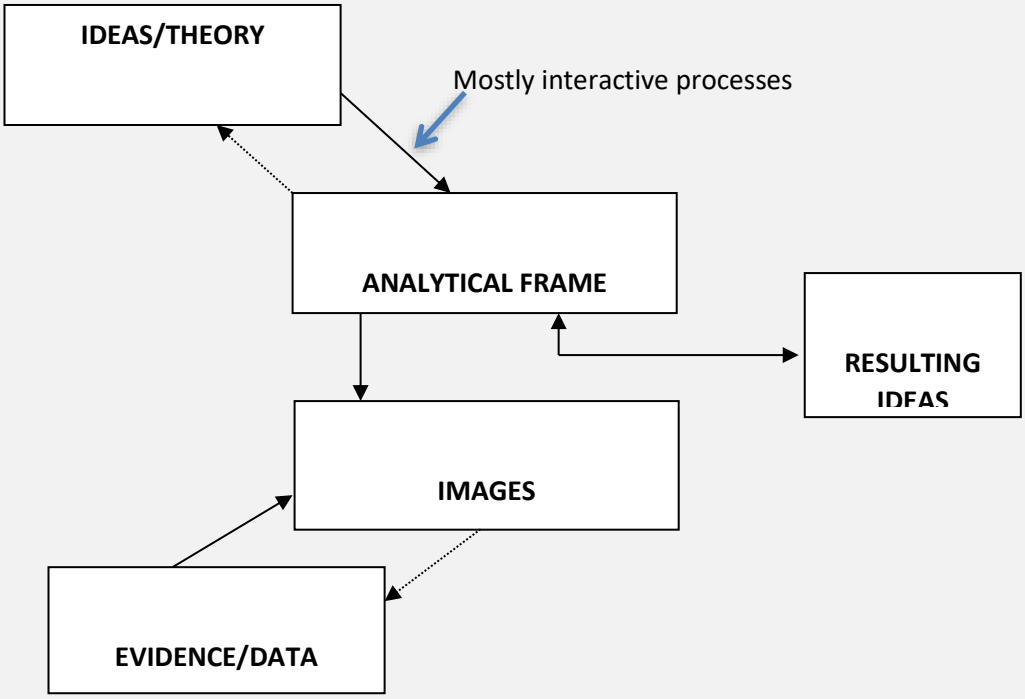
[62] The core concepts are discussed in Chapter Two and include community, governance, moral and legitimacy. These are seen from an interdisciplinary context

[63] Critical Theory has influenced the reservoir of ideas because it embraces peace studies, which is the field of inquiry.

important sources of ideas. Ragin, for instance, characterises analytic frames as conceptual tools that "constitute ways of seeing"[64].

Ragin (1994b) also points out that analytic frames have two components: when concepts are used to classify phenomena, they frame by case; however, when concepts are used to characterise the cases, they frame by aspect. Framing by case in this study is largely about answering what change outcome is a case of. I have clarified earlier that this research represents the reactions of a conflict culture to social power imposition. As such, change outcome in this study is a case of governance, which is the responsibility of the different governing units in the pluralistic settings. Framing by aspect on the other hand is about specifying the key features that differentiate the cases in a broad category (e.g., Ragin, 1994b:63).

Figure 1.2: The Research process



Source: Adopted from Finnica, 2001: 18

In addition to descriptive approaches to changes and change management applied by a variety of change scholars (Finnca, 2001:2-7), the construction of the analytic frame for this research was influenced by an integrated viewpoint about societal governance as advanced by Jan Kooiman

[64] They are constructed through the interaction of theories and evidence that are revised during the research process. See for instance: Ragin, 1994b: 60–66

(2003: Chapter 1). The frame was also influenced by the views of the respondents that emphasised morality as the basic elements of institutional change but also in the management of political change[65]. Evidence, on the other hand, can illustrate a whole range of potential data[66], from which the ideas and analytic frames direct attention to specific types of evidence (Ragin, 1994b). In order to focus the collection of data on the most relevant evidence, a desk study was conducted that guided the collection of material. The data for each of the seven cases[67] consists of over ten years' of participant observations, fifteen questionnaires, fifty semi-structured interviews, and thirty focused group interviews with specialists representing interest groups, politicians, opinion leaders, administrators, researchers and the media[68]. The data collection methods benefited from the specialised approaches of the different disciplines that were integrated in the approach.

Ragin (1994b) states that images (refer to Figure 1.2) are the product of an effort to bring coherence to the data. They draw from sets of lenses that reflect the assumptions and theories used. As such, they avoid bias towards any one perspective. Hence, images were implemented by relating them to the very ideas and frames that motivated the collection in the first place. The interview data were organised separately for each of the key conceptual areas[69]. This was in accordance with the structure of the analytic frame adopted from Finnica (2001) and analysed by using hermeneutic text interpretation.

Data analysis

The analysis was constructed in two phases. First, the empirical typology approach to QCA was used to condense the categorised qualitative data and bring coherence to it. In the second phase, the condensed data was

[65] During focus group discussions and personal interviews, the majority of the respondents – mainly men - felt that because aid is tied to institutional change, no attempts have been made towards the basic elements of change, which includes attitude by the people to certain modes of governance including corpral punishments. The use of corporal punishment by the court system, to men in particular, abused them culturally and set them to hate even the good within the new system.

[66] Examples of data are: documentation, archives, records, interviews, observations, and physical objects.

[67] The cases are the seven *kaka* – which provided variegated observable levels

[68] In total about four hundred and fifty four, covering the seven cases over a period of ten years.

[69] The key conceptual areas that constituted the groups were: entrustment, legitimacy, community governance, practices, violence, and fragility.

analysed by using the new hermeneutic approach to QCA. During the analysis with QCA, analytic frames, as well as the images, were considered flexible. Thus, the idea of re-introduction as shown in Fig. 1.1 – the combination of interactive and deductive approaches – was central to this phase of analysis, although interactive was the dominant approach. The research process, in reality, often overlapped to such a degree that it resulted in a constant interplay of ideas and evidence. This dialogue, conducted through systematic methods of analysis, culminated in social representations of political changes that occurred in the different tiers of governing structure that constituted *kaka*. The resulting ideas include, for example, the construction of models of change, which is presented in part in Chapter Three when I discuss fragility within Acholiland.

Methodology Issues and Approaches

The overall methodological inclination within conflict and peace studies is drawn from an "interdisciplinary" approach[70], which I consider is more insightful, embracing, and permits contextualisation of the Acholi community in a less dogmatic and a more specific way than a single-disciplinary approach e.g., Sayer, 1992, cited from Smith, 1998:326). Scholars of peace studies agree that, as a methodology, it shies away from "over" generalisation and biases, hence, permitting researchers to be more critical and analytical of basic knowledge, and to provide grounded knowledge that is comprehensive (Casey, 2010:345-359). Secondly, it permits origination in the investigation and an analysis of relationships between the different variables in a research project. This I find is very supportive in the case of Acholiland, which represents a complex context and one that guarantees that the knowledge and results of the study and the policy recommendations does not marginalise the community under investigation.

A rejection of other methodological approaches was based on two key reasons. One is that both the post-positivists and positivists would look at the Acholi as a static society, even with the many opportunities and shocks and change that have influenced its original culture (see: Atkinson, 2010:137-139). Secondly, they demand objectivity, which conflicts with the subjectivity of the

[70] Multi-disciplinary approach is used interchangeably with interdisciplinary approaches – meaning the application of a number of disciplines and in this case social sciences, humanities and professional disciplines, to shed light on the subject.

investigator that is required in the study. And because both the voices of the researched and the researcher are important in the analyses, the other methods that said otherwise, were rejected.

Determination of outcomes

One of the major difficulties in studying outcomes of institutional change is determining exactly what outcomes to examine. This is because outcomes tend to be a constellation of actions that are broader than the narrowly defined activities of this research. Additionally, different disciplines have different perspectives of change outcomes. Firstly, the purpose and the capabilities of the social-political actors change radically with time - even in cases when changes are supply induced. In some instances, supply induced changes built on spontaneous changes in social practises that are supported by institutional structures (Todd, 2000:2). The other concern is that these change outcomes are sometimes derived from unintended consequences and are often not in keeping with the objectives of the community. In addition, because of different fluxes and events like migrations, droughts, displacements and the "abnormality" that comes with these events, the qualities associated with shifting cultural values, the dynamic in the articulation of group identity, and the premise upon which allocation of power and social accountability is negotiated, have been rather elusive to assess[71]. Furthermore, increasing the number of dependent variables, number of interviews and their coverage increase the reliability of the study, providing greater confidence in the theoretical conclusions (Campell, 1975:25).

Research dilemma

Change outcomes in community governance as a phenomenon of this research was influenced mainly by the presence of violence. This makes researching in northern Uganda politically challenging (Whitmore, 2010:5). Firstly, violence is, arguably, instituted by different categories of factors – cultural, political, economic and social - all reinforcing one another, working in a continuum and with multiple causes, some of which are difficult to discuss openly (Finnström, 2008:221-223; Willis, 1993:353-360). To study and understand violence systematically presents a number of constraints, most of which are

[71] This made the causal links between changes in identity categories, for instance, how people related to each other, or even dealt with each other, and the changes in political arrangements become complex, especially with a time lag.

politically and socially sensitive. Secondly, change is both highly complex and context specific, just as violence is. An attempt to unearth how various institutions are engaged in this complex socio-economic situation can be problematic and, especially by someone who is a native of the area.

Most people I met knew the consequences of being identified as the source of important information that are rated as confidential by the authorities[72]. Thirdly, perceptions about change, as with violence, do affect a community's wellbeing even when they are not borne out by statistical evidence. In the case of Acholiland, by the middle of the LRA insurgency in the 1990s, the entire population was displaced and had no source of wealth other than their memories and knowledge of Acholiland in the past. Historically, the Uganda Governments and the Acholi society have been at inevitable crossroads, something we will see in the empirical chapters. This took a rather disturbing trend during the NRM regime. This was for two reasons. First, the explanations for the official and preferred approaches to the conflicts did not conform to the ideals of resolving internal conflicts (See also: Finnström, 2008:131-136; Dolan, 2011). It generally concluded that the Acholi were perpetrators and collaborators, as discussed in Chapter Four. Secondly, the overall expenditure on the war, which was the official discourse preferred for neutralising the LRA, did not translate into visible and positive change for the benefits of the Acholi (see: Finnström, 2008:239,240-244;Branch, 2011 and ARLPI www.arlpi.org)[73]. Overall, much as donors supported the general principle because they were made to believe in the approach, the efforts did not embrace the human dimension of the political equation (Finnström, 2008:124, 174-178). Research by civil society showed how war was costing the country some three per cent of the GDP per annum and yet things were not improving (CSCOPNU, 2005).

Probing the northern conflicts, where these facts were common secrets and where poverty numbers – the reasons for foreign aid - have consistently remain higher than elsewhere in Uganda during the NRM era, was seen by both government and donors as incongruous and disturbing in some ways. Uganda

[72] Further discussion on this can be found in Weeks, 2001; Pain, 1998; Whitmore, 2010

[73] For a good discussion of the failure of military approach to resolving the LRA war based on the Acholi people, please see: anthtropological discourses by Severen Finnstrom, 2008; political analysis by Adam Branch, 2011 and also work by ARLPI <www.arlpi.org>

was after all a "modern" African country that was responding to western donors' ideals of change and was doing very well statistically. These economic growth figures apparently had better political prospects and meanings to donors compared to the problem in Acholiland. In any case, Acholiland hosted only five per cent of the Ugandan population and its troubles have not deterred the growth of the Uganda economy, seen from the statistics generated.

The dilemma was that the Acholi's humanitarian aid became disgracefully pathetic and, on their part, the Acholi envisioned more helping hands coming from "outsiders" as its own government had turned a blind eye on its problem and continues to see the entire society as the cause of Uganda's backwardness (IRIN, 2004)[74]. Fourthly, the priorities of the Acholi people as the object of my research, regarding how they see the different categories of violence, could most certainly differ from those of the state, local politicians and policymakers. Identifying these differences in opinion, without violating the specific confidence of the respondents, or their privacy, is important.

Finally, any categorisation is static by nature. In reality, political, cultural, social and economic aspects of the Acholi interact, reinforcing linkages between the different types of violence. For instance, *boo kec,* as a violent phenomenon is an outcome of absence of law enforcement, culture of impunity and economics[75]. The identification of the strength of the relationships and their effects, as well as the priorities at the micro, meso and macro levels are vital for a reconstruction of meanings, yet present sensitivities in many aspects. As an Acholi, these presented some challenges in the analysis of the research. Thus, part of the challenge in this research project arises from my own association with Acholiland. The concern here is whether I may be compromised and tempted to "overlay my authentic" version of the facts (Pooling, 2002:534). Indeed, the history of qualitative research was born out of the conviction by foreigners to

[74] It should be noticed that members of parliament from Acholiland, more than once, sought parliament to declare a disaster because of the mounting concerns of humanitarian needs. Politically, this was seen as incorrect and lives in Acholi were traded for such political correctness. See also: Uganda: Humanitarian challenges of northern crisis (IRIN, 2004) <www.irinnews.org>

[75] Finnström (2008) noted that rouge boys who used the prevalence of insecurity and the absence of law and order, exploited their youthfulness to raid and occasionally kill people in Acholiland by robbing them of their money because these boys needed to feed themselves on valuable food rather than the ones get would get from the NGOs.

understand “others”, and these others were perceived to be the less “civilized” and normally from different cultural backgrounds to the western world (Vidich and Lyman, 1994).

The Acholi case study is one of the many recent developments that depart from this misconception. As an Acholi, I have seen, experienced and have been a part of those who worked with the society pick up pieces of hope in the course of its adjustment, especially in the last forty years. I have chosen to give attention to these issues because they not only matter to me but also because there are gaps in current narratives that demand an insider perspective. The meanings of what the Acholi is and was have been changed by lack of understanding our words, spoken or written.

My knowledge of the Acholi society as I stated before, was important because it influenced an undifferentiated image of what was being investigated and it also solicited the reality that could not possibly be trusted with a foreigner. My knowledge of Acholi as a language also helped in clarifying social nuances, but also in probing critically some of the phenomena that are linked to governance. F.K. Girling (1960), when discussing the socio-political organisations of the Acholi, appreciated this aspect. He, like Allen (1998) admitted that Acholi words like *kaka* had several usages and therefore, giving different meanings, some of which could not easily be translated in foreign languages or corroborated with what exists in their own societies, and some similar ideas from Opiyo Oloya when he researched child soldiers in Acholi (Girling, 1960:8; Opiyo-Oloya, 2013:Location 1210-6).

As an Acholi, I have learned that the Acholi language is about how it is constructed, presented and spoken, hence, how the questions are constructed and responded to. It is when one really knows and understands it well that one can identify the expression of intentions and can probe further the meanings of the discussions, to get to understand whether it is about kinship, about territory or about ethnicity for instance[76]. It was in this context that the desire to add value to existing knowledge and narratives about the Acholi became increasingly relevant. There were secondary sources of information from libraries, internet and several

[76] Lacito Okech wrote a book “*Leb Acoli Kur”* in which he expressed the art of constructing Acholi as a language, to give the meaning of what is said in Acholi. “Leb Acholi Kur” literally means Acholi language is odoriferous or marvelous

other sources: the archives of the colonial, central and local governments, published secondary data, and private records from the key respondents became handy, to broaden my understanding of what actually existed and became sets of issues for discussing governance with elders in Acholi. These provided the qualitative and quantitative information that I used to formulate the research ideas.

Pouligny (2002), nonetheless, contends that there are times when a researcher may involuntarily engender false hopes or raises unrealistic expectations, driven by such form of relationships. While this was a true challenge for me, considering the political environment, I relied on a good framework of analysis – which consisted of spaced out and multi-layered approaches, including reliance on the large volume of secondary information (Hilberg, 1996 and Kershaw, 2000, both cited from Bartov, 2002). My strength has also been my knowledge of and long time interactions with similar post- and in-conflict societies in other parts of the world.

Resolution of ethical issues

In order to address these ethical issues, my investigation adopted a mix of what is considered formal and with a large part, however, being informal. This, from my experience working in fragile situation, allows for breaking the impasse that characterises fragile context. Formal investigations were used to firm up some critical views that emerged as a result of long standing observations. For instance, in understanding the oppositional behaviours of the youths towards the elders in the community, I held formal focus group discussions with both groups, first separately and later with them both combined. Additionally, in understanding changes in governing efforts and the link to domestic violence within Acholi households living in protected camps, I arranged both formal and informal meetings with victims and perpetuators, to discuss what I felt I have observed and read from literature over a long period. I had an opportunity to contextualise, from these actors why resorting to violence was seen as a viable means to addressing household issues.

Use of research innovativeness combined with my background, provided me with the richer meanings of the change outcomes. It was very easy to contextualise why traditional community governance during pre-colonial era was predominantly co-governance. From the economic perspective, it made sense in terms of cost-effectiveness. From sociology, it was able to explain the relevance

of the arrangements, while from management science it capably explains how "carrying capacity" of the different actors was critical. There was also the question of added value and the leverages these different actors had to contribute.

As such, data collection, and the analysis of the data, was spread over a much longer period of time than earlier envision, from 2004 to 2014. Partly, this was to fit in with my own schedule of work. However, and importantly, this also gave some moments of detachment, reflection and regurgitation of some stressful moments in my encounters. It particularly enabled me to revisit some of the historical data in some detail, as I was able to reflect on them based on new meanings. These spaces of time were received as blessings but often came with new challenges. There were moments where I had to balance the case of shared risks with my respondents. As a "son of the soil" and an opinion leader, an elder, I had a duty, rights and responsibilities to my core respondents, most of whom lived in the "protected camps". In some cases, where I found disturbing information that worried the community, I reverted to the appropriate authorities with such information and persistently followed up if they were implemented[77].

But it is at such moments that one gets to understand better the nexus between governing and governance (Kooiman, 2003:1-5). There were certain moments in 2012 and 2013 when set meetings with some key respondents from Acholi failed without any logical explanations. The persons would refuse to take my phone calls on the day we had agreed for meetings. While theoretically, I was a public servant/consultant, an opinion leader from Acholi and son of the soil, I was also a researcher bound by the rules of ethics in research, which was a duty. However, in practice, it became difficult to separate my identity under most circumstances because, if anything, they complemented each other, for most of the time for the mutual benefit of everybody involved.

In ensuring that the information I needed was relevant and appropriate, I worked also with officials who had close and strong social contacts with both government and the people. I adequately ensured that I acted my role as "son of the soil" in solving problems I felt needed due attention. My engagement in the design of the NUSAF project was definitely significant, and I often used the

[77] I was in constant interaction with the local leaders, in particular the RDC and members of parliament, who directly could deal with such situations.

people who were part of my research team to ensure that the problems highlighted by the people were followed up (Aly, 1999b: 153-183 cited from Bartov, 2002). My follow-up would be to get their feedback on such actions, and this built the confidence of the respondents.

It is absolutely true that field research is likened to a series of moral dilemmas (Coy, 2001:598 and Goduka, 1990). While some I was able to negotiate quite well and they were happy about them, others were not and these meant most likely that the informants felt betrayed. Using the Acholi in the NGOs, who were within the systems and were familiar with the situation, were both helpful but I thought also distorted. They were associated with gifts and goodies that was not entirely the object of my work. In light of the importance of this work both for the people and I, I had to carefully tread the path that ensured that my own profession as an international public servant, my safety and those of the informants, and my credibility with the systems, were not put at stake (e.g., Sluka, 1995:285). This was not so difficult, considering that I was aware of the political economy in Acholi and Uganda and for many years, have followed how the political dynamics worked.

The limit into how far a researcher can get involved, it seems in my experience, is defined by the degree to which one needs to maintain some objectivity and clarity on the issues at hand. Often these issues are mixed and because of fear of reprisal by the authorities, most respondents would not claim first hand knowledge of them. Rather, it was often “that is what I heard” from so and so. Objectivity in my view is being “clear headed”, paying attention to the issue and using the advantage of language to validate the truth, ensuring safety in all its dimensions, and collecting verifiable and quality information that are validated data on time (see: Coy, 2001: 592).

I found in the end that the mixed methodology helps balance tension between detachment and involvement (e.g., Emerson, 1981:368; Kriesi, 1992). This, according to Coy (2001:589) is a creative tension, one that if managed carefully can produce a synthesis leading to “dialogue” between the informants and the researcher. Hence, I often chose to suspend my research work by breaking off from my enquiry, letting my support team revert to what they do most often. However, because this research is so linked to my personal work, I would get calls providing some useful information to follow. In some instances, because I found the information rather intriguing, I sought to validate it innovatively.

The break facilitated me to think through from a distance and consult on the best way to dig in again, while doing my primary role as a development expert. These forms of detachment are temporal because the work I was engaged in dealt exactly with what I was researching about. Most of my information was obtained in the course of doing my official work, and, for that matter, the research was partly paid for by my organisations, as the outcomes would feed into their strategic work in Uganda. In many ways, it reaffirmed my interest in the research and especially in the issue of governance.

In line with the Pouligny (2002) enquiry, did the events, and especially the mood of the Acholi, compromise my research focus, and did my work "overlay my authentic" version of the facts? I think not at all. First, facts are subjective, and evidence of them justifies whether they are facts, and not opinions from some societal perspectives. My professional conduct in undertaking this research was a critical factor in ensuring that facts remain what they should be. Where out of observations I was able to verify evidence of events that I considered are relevant for my research, I sought an opportunity to disclose with the core respondents my intentions of sharing them in my work. And if the respondents disagreed - which did not occur – I would dutifully comply as I deem that is professional. Critical Theory seeks to give back to the people and in the cause of my research I was able to work with my organisations, to address these things to the extent possible.

In addition, the focus of the research was on community governance, which in many ways carries no prejudicial feelings and are not so much about facts but practices that are easily verifiable. However, it was in the course of collecting evidence of such practices that innovation was required. There were, in some instances, revelations about important information and events that were difficult to verify except through observations. However, informal means of inquiry allowed me to get my way to the right stuff. By listening, sharing a common dialect and probing deeper into similar experiences elsewhere, I was able to understand the issues, even when informed consent, it is argued, demands an informed position, which quite honestly, may be unknown by the objects of discourses (Coy, 2001:584).

I do think that professional ethical considerations should not only include issues of inhumanity (e.g., Gautier, 2002:512). It should also embrace the other dimensions that often are overshadowed by the fact that these rules of

engagement are about foreigners working in an alien society. Mine was not. I felt obliged to know what made my core respondents intimidated, uncomfortable and naturally, to help relieve them of such mental tortures by disclosing to the right authorities such events in a manner that was just whenever that opportunity came by. Wars and the aftermaths are always challenging because even the soldiers have been in such difficult moments. Unfortunately, researchers and development actors often tend to look at the civilian cases, turning a blind eye to what they see as the offenders. But social interactions in an informal setting, demand being truthful and scholarly, complicity is an aberration, and political naiveté can be very unprofessional even when I must admit, this is beyond professionalism (Gautler, 2002). It is about knowing and living it, to turn the corners that many professionals have no clue about.

Hence, by working within principles of consent, and using a well thought out framework that engages the informants and the stakeholders, I believe that compromises and expectations were reduced significantly within the threshold of any professional human being (e.g., Pouligny, 2002; Hathzfeld, 2000). The methods of data collection that were chosen – the focus group discussion, in-depth interviews, participant observations; all reduced any expectations from the communities.

Organisation of the Study

This thesis is presented in eight Chapters, broadly divided into three sets. Chapters One to Three draw together a series of acumen and experiences from academic literature and provide the conceptual frame and the analytical context of the study. While Chapter One introduces the study and provides definitions of key Acholi terms, Chapter Two lays out the analytical and theoretical frame that discusses concepts and scholarly viewpoints on community governance (Part One) and such related concepts like institutions, institutional change and change outcomes (Part Two). As such, Chapter Two provides the frame, linking the contents and discussions in Chapter One to those in Chapters Four to Eight. Chapter Three, on the other hand, is contextual - situating Acholiland within existing scholarships that are national, regional and global.

The subsequent Chapters Four to Eight are empirical chapters, combining critiques of earlier analytical narratives about the Acholi governance

and providing arguments that build on, support and occasionally depart from the first part of the research. In Chapter Four, I present the social-political baseline and analysis of Acholiland by 1898 based on literature and fieldwork. Chapter Five on the other hand, looks at governing institutions and change outcomes. In Chapter Six, I discuss the politics of governance and the evolution of political leaders. In Chapter Seven I look at the political practices of community governance while Chapter Eight summarise these lessons from the study.

Chapter Two –Theoretical Framework

Introductory Remarks

In outlining the definition and concept of community governance, and in elaborating how it is connected to institutional change and change outcomes, I sought to narrow down what a community is made up of. Then, what communities claim to hold in common, and to justify with evidence, the claim of communality. The other dimension of this debate, however, is to conceptualise how and why community governs itself.

In the first set of issues - what a community is made up of – I sought to conceptualise this within the literature of social capital, which is an interdisciplinary field that embraces identity politics. However, scholars see identity politics as problematic because it is not easy to distinguish all forms of identities (see: Abdelal *et al*., 2005:2). The second set of issues draw heavily from the literature on governance, and engages with change outcomes or practices in an interdisciplinary context. As such, it frames communality within institutional and organisational perspectives and how they dovetail with institutional change and change outcomes (see for instance: Hodgson, 2006; 2007).

This Chapter is broadly divided into two parts. The first part deals with the first set of issues narrated above and set clear arguments for community governance. A specific section in this part outlines the application of these concepts to the African context. Part two, on the other hand, presents discussions on the second set of issues, which deal with institutions and institutional change outcomes. The entire Part Two is discussed and attached at Annex 1.

PART ONE

What is Community Governance?

In capturing the moral value of this conceptual framework, as voiced by respondents in the field, I set first a comprehensive literature review of the interconnected concepts, namely community and governance.

What is a community?

Anthony Cohen asserts that "community" as a concept has become a normative concept rather than a descriptive term for an analytical category with scientific rigour (Cohen, 2002: Locations 3660-79). This, he noted, is justifiable and appropriate in an ethnographic and anthropological context. So far, two conceptual fields on community have emerged in the literature. One field sees collective social attachment and a form of homogeneity in character as its two important defining features. Here, community is synonymous with society. This is the *Gesellschaft* version where out of multiplex, longstanding interpersonal relationships and familiarity, as are the case with kinships, a subtle charge of community is established (Amit, 2002:96). It presupposes a belonging that has clear boundaries – rules, laws and conventions - separating one community from another, and one that emphasises relational attachment (see: Cohen, 1983, 1985). Thus, community becomes a distinct cultural entity aware of the rules for belonging as a collective identity, that is, society and culture.

The second notion, on the other hand, introduces the idea of the *Gemeinschaft* version of community, where social units of varying sizes share a common value. Unlike in the first case, Hyden (2006) suggests that here community is synonymous with collectivity. As such, it is a matter of choice to be and this can include primordial relationship. This is an idea of an imagined community, a claim of togetherness that lacks homogeneity thereby seeing community as more than locale. In this aspect, community is seen to embrace any form of cultural consciousness as an association with limited purposes (Cohen, 2002:52). It is an ideation "with the juxtapositions of constructing social attachment solidarities" (Amit, 2002:18). It presupposes a community "without place" but as "peoplehood", which is independent of an on-going relationship (Amit, 2002:18).

Historically, however, social analysts in particular conceptualised community as a medium for the interrogating interaction between modernity and society (Amit, 2002:17)[78]. Their preoccupation in these analyses was to understand the consequences of modernity to the principles, logic and concepts of social affiliation. Hence, anthropologists like Evans-Pritchard (19C) and Margaret Mead (1930/1942) frequently made reference to societies or cultures as their objects rather than community (Evans-Pritchard, 1940:12). The use of community, however, gained analytical prominence and currency with the emergence of pluralism in societies within urban lives. Here bio-political social categories emerged as a component of a pluralistic community. The term community, as Vered Amit puts it "resonated as a limited sub-unit, inextricably but also problematically embedded in wider social and cultural contexts" (Amit, 2002:182). The significance of this is the analytical definition in which sub-sets of community or categories are recognised based on clear boundaries that separate them from the overall community system.

Appadurai (1996) submits that community by locality was "primarily relational and contextual" with regards to life, and that it was unmistakably explicit and direct. Implicit in this embeddedness is how a context like fragility mediates collective definitions of such relationships and identity categorisation (Todd, 2004:12). Neighbourhoods, on the other hand are situated, existing social forms in which locality is recognised. As such, they are contextual[79].

Flora (1998) sees neighbourhood as "a community in place", noting that familiarity, sharing and proximity are critical in measuring the quality of interactions and in actualising social form. However, for scholars working within the space and legal pluralism frame, community-in-place can be seen as an instrument of control. Von Benda-Beckmann and von Benda-Beckmann (2009: Location 318) for instance, notes that in the contemporary state system, space is constructed as a homogeneous map and therefore results in what Blomley calls a centralisation of legal authority (Blomley, 1994:107; Von Brenda-Beckmann *et al*., 2009: Location 148-68 to 759-73). This, as Amit (2002:18) comments, "illustrates

[78] Here Amit see modernity as the preserve of the western world. I maintain that modernity is location and culture specifics and cannot be a preserve of a race or tribe.

[79] This actually means that neighbours are characterised by their actual existence, both virtually and spatially. This is typically contrasted with what was intended, expected, or believed.

the visceral nature of what is community" – that these are affectionate relationships, affiliations and attachments with a high sense of belonging and experienced as personal and collective. Gufta and Ferguson (1997:13) on the other hand see the construction of community within a relational context; that is, based on space as a politically intended "equivalence" that depends on the construction of various forms of exclusion and constructions of others.

Community-in-place is, therefore, viewed as an organised, planned and a demand-led phenomenon that appropriately actualises social form as either hostile or friendly. It presupposes that social rules exist, are enforced and are obeyed by the society. However, some recent insights by scholars have radically changed how community is conceptualised (Rapport, 2002: Location 187-12). These viewpoints see collective identity as more forward-looking and the multiple attachments of its members as a form of contract that overrides the notion of social interaction (see: Rapport, 2002). This detaches the importance of social relations as a property of social life (Appadurai, 1996:199). This notion also embraces the idea of state formation with constellations of diverse relationships, organisations and also conflicts (see for instance: Epstein, 1964). Proponents of this viewpoint have demonstrated that commonality and mutual identification were developed several centuries back in Britain with the influence of the media (e.g., Anderson, 1983/1991). He argues that the imagination of shared identities and lifestyles actually led to the development of nationalism in UK.

This notion of imagined community is a top-down idea and is presented as capable of galvanising and mobilising identity categories without the overrated actualisation of solidarity (Anderson, 1983). Imagined community, avers Appadurai, posits a "disjuncture between locality and neighbourhood"[80]. Herzfeld (1997:1-38) used the concept "cultural intimacy", to highlight the interplay between official and social discourses. He pointed out that felt solidarity, one that seems to bolster the experience of belonging, lay inside and is stimulated through intimacy and digging into archives of memories. In other words, ideas and actualisation are connected and in my view essential.

[80] It is viewed that social media technologies, education and government efforts including coercion can manipulate the limits of imagined communities of the nations. However, some scholars note that the sources of the emotional impact of formal abstraction are still difficult to substantiate. See for instance Herzfeld, 1997.

Cohen (1985) and Appadurai (1996) contend that as a result of the weakening social boundaries and the indulgence of state policies or globalisation forces in the integrity of 'neighbourhoods', "communality increasingly has to be asserted or imagined symbolically rather than structurally" (Amit, 2002:10). It is certainly an idea so connected in the contemporary world where digitalisation and innovations conjure closeness and even social touch[81]. Nevertheless, community demands consciousness and choice. This brings us to the question of what does the community consist of? In answering this, scholars (e.g., Blomley, 2006:17-34) have, in some instances, ignored the relationship between physical space, social space, boundaries and the contradictions that comes with pluralism in the legal systems that mediate such interactions (see for instance: Taylor, 2006: 1-16).

Suggesting that community-in-place - whether about neighbourhoods or primordial attachments – has a strong correlation with intimacy, sociality and social mobilisation might be an overstatement in my experience. Similarly, primordial attachments are "a given" form of relationship. However, the intentional levels of interaction between kinships and the demonstrated retaliatory responses witnessed in some ethnic conflicts questions the assertion or meaning of the claimed intimacy (see for instance: Dolan, 2011: 1-49)[82]. As such, regardless of the levels of social categorisation or physical attachment, Rapport (2002) argues that an individual has a choice to resist or opt out of any norms or expectations that undermine their own convictions[83]. The character of relational attachment is as "likely to be derived from the multiple attachments of the parties that make up its membership as from contrasts with collectivises in which they are not members" (Amit, 202:10). However, it is in how this is managed and the reasons thereto that I turn to now.

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[81] Some scholars like Rapport (2002) reckon that it is perhaps through such irony of interplay and incongruity between actualisation and the categorisation of community that there is an appreciation of the "malleability and mutability of all social rules and realities, and the contingency and ambiguity of cultural truth."

[82] The events in Acholiland following the LRA insurgency in my experience, showed how kinship as a form of relationship became destructive and led to impunity in a number of instnaces, questioning the traditional view that it was a form of social trust, to protect rather than destroy.

[83] This argument is certainly important in the case of Acholi as will be discussed in Chapters 6-8

Some influencing literature on governance

According to Bevir (2009) and others (e.g., Von Benda-Beckmann et al., 2010:1-30), the term 'governance' was coined following the reforms of government in the 1980s and 1990s (World Bank, 1997:0-85). These reforms "rolled back the state", introduced the possibility of engaging multiple governing agents in new modes of exercising power, which often were guided and legitimised by 'alternative' legalities (Von Brenda-Beckmann et al., 2010:1-30). This changed the conceptualisation of governance from a normative conception of government as solely tied to the national state, based on the constitutional and international law, to one that is a functional characterisation of governing activities (Brenda-Beckmann, *et al.,* 2009: 12-30). It further introduced the notion of specialisation where service delivery is separated from the funding and policy-making, which includes setting moral standards in these services - the latter is a core function of government and the former is a plurality of non-state actors or social actors.

This new form of engagement is the social-political governance - one that fuses the efforts of formal and informal institutions, those of public and non-state organisations - where multilateral relationships of varying nature and forms are exhibited between the different and diverse governing actors (Kooiman, 2003:10-15). Governance has been used at numerous levels and within various theoretical contexts (Kooiman, 2003:224-228). For instance, theories of governance commonly submit that patterns of rules originate as conditional outcomes of assorted actions and political manoeuvres that are informed by the wide-ranging beliefs of situated agents (Bevir, 2010: Location 104-22).

Engel and Olsen (2005) have identified two constituent uses of the concept. The most dominant strand focuses on policy, and sees the sovereignty of the state as the central concern in the policy debate. This is especially in the wake of the internal and external reshuffling of state authority following the reforms and the emerging practices in globalisation. Thus, policy around these issues – the rationalisation and the realignment of state power to the new centres of legitimacy and how to ensure effective governance under the emergent globalisation – has been discussed (see also: Girndle, 2004:524-548; World Bank, 2004). The second strand focuses on lessons learned from the reform on

the quality of service delivery[84]. The World Bank report (2004) for instance, views community engagement as one important innovation in service delivery. The Bank's principle moral value for this has been the concern for ownership and sustained improvement of life[85].

Overall, however, most studies of governance have unreservedly focused on understanding political institutions that limit or check power, that is, issues of democracy, accountability and the rule of law, and less on community governance or political institutions that vet morals and allocate power (Fukuyama, 2013:349-356). In other words, recent measures of governance have not given sufficient attention to the state and its associated bureaucracies. This omission or commission comes at the height of increasing tied aid programmes by developed countries to developing countries on democracy, rule of law and accountability (Fukuyana, 2013:350)[86].

Fukuyama (2013:350) defines governance as "government's ability to make and enforce rules, and to deliver services, regardless of whether that government is democratic or not". He sees differences between the execution of services on one hand, the politics and making of laws and policy on the other. For him, governance is not concerned with setting goals. Rather, it is about the performance of the political and social agents in service delivery.

Fukuyama's (2013:351) conceptualisation of governance follows the strand that is state-focused and he sees the state as a hub that has immense capacity and capability to dispense power. He also disputes the rhetoric that democracy and "good governance" are connected because, he argues, it is empirically difficult to see the connection. In other words, authoritarian regimes can be well governed – as recently seen with China delivering with high economic growth – as much as it is also true that democratic systems can be mal-administered.

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[84] This notion has taken rather a descriptive and analytical stance in understanding the dynamics of both the intended and unintended outcomes of the changes in governing activities. See for instance: World Bank, 2004.

[85] Note that here, unlike in the first strand, the constituent part is not concerned with the centrality of the state but rather, the community.

[86] Francis Fukuyama asserts that because the state wields immense political power, it is imperative that how this power is distributed, is checked. The negligence of community governance and the state in these analyses has left a gap and, to a large extent, signal how the end products of the reforms in government have been misunderstood, which I have discussed in the case of Uganda.

This point is important when conceptualising community governance. The governing interaction between the social and the political, epitomises a mix of governing interactions in multi-lateral relationships. For this to be effective, democratic tendencies by the state can support effective and coordinated actions that are based on moral values and differentiated carrying capacities of the social-political actors[87].

On the basis of these submissions, governance can be considered as made up of two inter-related and mutually reinforcing dimensions. One is the capacity for service delivery. The political principal mandates the bureaucrats, to deliver services. The second dimension is the autonomy of the bureaucrats to execute the mandated tasks in an effective and innovative manner in line with the context.

Capacity consists of physical resources and the degree of professionalism for service delivery. Autonomy in service delivery on the other hand, is the degree of independence granted by the political principal to service providers and is considered desirable for professional conducts. Often, granting broad mandates enables political actors to interpret the tasks in a more specific and context-based manner (Fukuyana, 2013: 352)[88]. Hence, autonomy gives political agencies the right incentive for innovations and for rightsizing the tasks based on the available resources. Subordination by the state introduces the difficulty in separating governance – seen as the tasks of execution - from the normative ends that are the government's responsibility (Rothstein, 2011:23-27).

Conceptualisation of community governance

Governance is about politics - which is the realm of relations that allocate and distribute power in any given relationship[89]. In other words, governance is about how power is used in a dynamic, diverse and complex

[87] The social-political interactions enable one to systematically experience clearly whether there is cohesion or disjunction in governing activities because it assumes that political as well as social actors and the governing agencies practice inter-dependency in order to deliver on the goals of the state.

[88] In the event that the political principal issues multiple and overlapping or contradictory mandates, the quality of services envision are normally affected. This form of subordination, which dominates *neo-patrimonialism* governing style, limits the autonomy to innovate with the capacities and capabilities of the political actors.

situation with outcomes that would depend on the structural dimensions of interactions. The conceptualisation of governance describes political relationships in two main ways (Bevir, 2010: Location 124-41)[90]. In the first case, governance is conceptualised along what Fukuyama (2013) refers to as a principal-agent framework discussed earlier above. Within this framework, governments set goals and targets and through delegation, the political agents are mandated to execute them. Here, governance is about the politics of delegation and mandates[91]. However, the broader and more recent definition of governance includes democratic politics and all forms of governing interactions (see for instance: Kooiman, 2003:62-75; Thomson, 2009: Location 5445). Here, governance refers to all patterns of rules and interactions that embrace different political actors at different levels and in different forms in response to societal pressing issues.

Global governance for instance, refers to a pattern of rule at the international level with the objective of addressing global problems. In conceptualising global governance, states are regarded as the principal actors. However, they are engaged within overlapping and interlocking processes, mediated by the UN, to ensure global order[92]. Corporate governance, on the other hand, refers to patterns of rule within companies or businesses. It expresses how business corporations – their governing systems, institutions, and norms – are directed and controlled (e.g., Bevir, 2009: Location 1110-1168). In both these examples, governance expresses a condition of growing awareness of how different forms of power and authorities can secure order. It points to the different ways in which the informal authority that exists in the markets and the networks, constitutes, supplements, and supplants the formal authority of the government (see: Bevir, 2009: Location 104-610; Brenda-Beckmann, *et al.,* 2009).

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[90] Mark Bevir categorises governance concepts as old and new. The new governance concept in his view refers to an institutional shift that embraces the whole spectrum of governance, from bureaucracy to markets and networks.

[91] See: Grindle, 2004; Heady, 1991; World Bank, 2004 for this additional view in this. Conversely, through manipulation of incentives, which, I argue, should be morally driven, the principal enforces sound financial administration, thereby improving the accountability of the political institutions.

[92] Here the authority of political actors and their respective legitimacy are too weak to impose their will over any territory. This is the case with the UN system as evident by its historical failure in the Rwandan 1994 genocide, the Somalia and DR Congo as well as in the current conflict in South Sudan.

Community has a form of authority – informal or formal – with networks and constituencies in governance that complement, supplement, supplant and in some instances, supersede formal or informal systems of governance (Levitsky, 2006: Location 81-90). As a social-political system, community is both an organisation and a special institution. As an organisation, it has members and leaders who hold common interests, and share values and cultural norms. As institutions, the community mediates social-political interactions with political agents, who in turn influence its values system (Hodgson, 2006). The effects of the interaction between community as an organisation and the political agents show the critical link between community governance, institutional change and institutional outcomes[93]. Particularly in a fragile situation, governing issues and especially the daily management are complex and diverse, demanding different modes and types of governing interaction. Community governance, therefore, represents shared responses by a constellation of governing actors and entities – individuals or corporates, female, male, young and old - to governing problems and actions from both within and outside the society. In this study, I have defined "community governance" as a concerned action of the "social system"; and "social system" as all patterns of interaction across and outside the said "community" (*see: Annex 2.1*). I have used the word "concerned", to emphasise the moral values of this action - the fact that it recognises diversity and the need for collaboration and/or co-management (Kooiman, 2003:15-24). It recognises the state as an important partner with immense power that cannot be abused. It also recognises the other social-political actors in the governing space, who are morally bound to contribute to defining governing problems and responding to these governing issues in their own right.

I have also defined "community" as a system that holds common interest, values and cultural norms, that is, a collective identity that varies along two dimensions – content and contestation of the substance of the content (see for instance: Abdelal, *et al*., 2005:8)[94]. Amit (2002:182) suggested that the term

[93] It assumes that many of the internal relationships within the community, as a constellation of social groups, are based on respect and inter-dependencies within and outside the community.

[94] Abdelal *et al*., (2005:8) explain that the content of identity describes the meaning of such collective identity, which often include the normative contents - like the rules that define membership, purposive content, relational content – which expresses the viewpoints of the group about others, and the cognitive content or the groups ideology. Contestation is the degree of agreement over the contents of

community “resonated as a limited sub-unit, inextricably but also problematically embedded in wider social and cultural contexts”. These subsets are what I call a “communal” system (see also: Cohen, 2002).

In a communal system, members act as organisations and have leaders. As such, a communal system has strong internal ties based on common interests, shared ideology and purpose – which constitute the *fiduciary culture* (see: Shipton, 2007). Inter-communal bonds are forms of collectivity, often enabled by a special kind of social capital – relational contents - that bridge interactions across the different communal entities.

Kooiman (2003:5) uses “social-political” to describe any form of quality societal governance that is collective[95]. In this case, governing efforts become an interactive process that includes all forms of governing efforts involving individuals, organisations and institutions. In other words, social-political governance is synonymous with interactive governance.

Kooiman (2003:22) sees governing interactions as exchanges that recognise the immense diversity, complexity and dynamics of social reality. While informal interactions are mutually influencing, most formal interactions are structured to exert formal influences with *proviso* attached. I would argue, in contrast with Kooiman, that social-political interactions are not necessarily mutually-influencing. They can be accommodating, supporting, dominating and retaliatory, reciprocating or even vigilant[96]. This situation depends on the structural dimension of interaction, that is, the context – the material, cultural norms, existing power structures – of social-political actors.

Relationships may be enduring or not, depending on how social powers are deployed by the participating actors. However, an interaction is in my view

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the shared category. I argue that it is the levels of agreement that further categorises community into the different subsets of members tied by those beliefs.

[95] This is a case where governing efforts are mixed and generally shared among the different forms of social-political actors – both internal and external - on the basis of their “carrying capacities, recognising that different modes of governing actions are demanded, to respond to identified governing problems.

[96] The important point to note is that these interactions shape the identity (either as partners or subject-ruler) and their intended development. The critical point in this interaction is the equilibrium or the threshold at which it defines the forms and meanings of that relationship that emerges as an outcome of the interaction..

never a one-way relation because there is often a reaction that is equal to the action although not necessarily similar. Rather, the relationship can be contested and contestation can be in form of disengagement or engagement with the issues.

The Evolution of States

In this section, I explore some of the scholarship regarding the political evolutions of community governance and its relationship with formal systems of governance. Kurtz (2004) used earlier work by Giddens (1979) and Roscoe (1993) to contend that the levels of differentiation and specialisation in the politics as well as those of the community institutions, and the associated organisational complexity of the social-political systems, are critical in determining the extent of the political evolution of community governance models.

Kurtz's (2004) evolution of politics is determined by increased effectiveness in political leaders through accumulation and dispensation of political power[97] as a practice of community governance. However, those holding political powers often abused it. Similarly, the notion of political evolution of community institutions often comes with the related issues of capacity and autonomy especially in the case of centralisation of power (see: Fukuyana, 2013:357). While I am sympathetic to some of the viewpoints expressed by Kurtz (2004) and others about authoritarianism as a recipe for social transformation (e.g., Apter, 1967:426-428), I challenge the moral value of political violence that instrumentalises governance as visibly observed in the context of fragility, the case of South Sudan recently[98].

Emergence of community leaders

Scholars that wrote about the evolution of community systems have variously alluded to the important roles community leaders play in influencing the

[97] Political power is subsumed as both material and ideational resources of power. The material resources include tangible (movable assets) and human resources, which can be in form of allies, benefactors, etc. Ideational resources on the other hand are ideologies, information and symbols.

[98] By the time this thesis wasbeing drafted, South Sudan had relapsed into conflict with the state misusing its political power in trying to break down the rebel group. By using the state power, the war had spiraled engaging external forces from Rwanda and Uganda.

material and environmental forces that ensure political evolution (see: Giddens, 1979; Roscoe, 1993:111-140; Kurtz, 2004:155). Kurtz (2004), for instance, asserts that the evolution of politics is accounted for by the efficacy of political leaders to not only accumulate political power but also for entrenching their authorities and ideas in the political communities (Kurtz, 2004:158). However, Bailey (1969) states that there are two dimensions of politics that safeguard against conflict of interest (Bailey, 1999:5-16).

The first case is what he calls normative politics - where moral and ethical standards are set by the system to gauge political practices by leaders. This sets a precedent for good governance as they check on the practices of political leaders. The second dimension is pragmatism. Here, the politics of the leaders partly influenced by their acceptable manoeuvres and characters. In this regard, the most redolent convergence of *ideational power* by leaders universally is demonstrated through their practice of *hegemonic acculturation.* Gramsci (1971:57) considers *hegemonic acculturation* as the practice of "intellectual and moral leadership".

Kurtz (2004:155) further postulates that there is dynamism in the interaction between these "ideal conditions" for change – namely the material elements in the community – the context or environmental conditions, ideational construct and the human practices in shaping evolution the direction of change. These variables reinforce each other and their contributions are not similar. Instead, Kurtz (2004:158), argues that "they are historically and ethnographically situational, contextual, and contingent, always fomenting in the social, cultural, and physical environments of political communities, evading epistemological priority; at any given historical or ethnographic moment some pulse or pulses may be more important than others".

Legitimacy in the "modern" system must be authentic. This means that it has to be an exclusive legal domination that is an institutionalised bureaucracy. In patrilineal and hereditary power systems that many modernists view it as archaic, political legitimacy evolved through charismatic legitimacy through to rational and legal authority (Kurtz, 2004:158). It required the emergence of political institutions that are capable of enforcing the rule of law and taking charge of the state as a legitimate power.

The civic public realm as early state formation

Historically, communities lived in some kind of organised societies, which in the case of Africa varied in terms of customs and politics. Some of the earlier socio-political organisations were more egalitarian or simply stateless (see for instance: Claessen, 2002:101; Thomson, 2010: Location 303-313)[99]. These stateless communities were however, politically complex and hierarchical[100] in culture (Claessen, 2002:2-6; Thomson, 2010:10). Others, on the other hand, were repressive, centralised systems and hierarchical in culture. Examples of state-like polities were chiefdoms and kingdoms (see for example: Woodburn, 1988b). These pre-colonial systems were characterised as non-hegemonic (Thomson, 2010:10)[101] and lineage-based, suggesting that their political power bases were weaker - a judgement call that often underpins this perception, that autocracy was a necessary condition in the formation of states, something that western donors are advancing in changing governance practices in Africa (Mamdani, 2002).

It was from these variegated forms of governance that the current states emerged, largely triggered by "indispensable conditions", of which political violence was a big part[102]. In the case of Africa for instance, Thomson (2010:9) asserts that variegated societies existed over a long period, engaged in strong land and marine trade with the Arabs and the Europeans. Since the socio-political organisations of these societies differed in complexity, power was highly differentiated and integrated more or less in tandem with the prevailing circumstances. Power was also gender and age segregated[103]. While

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[99] The general view from these authors is that these social-political systems were customized to the specific individual societal environments. They had varying types of leaders, obligations, rules and other forms of interactions.

[100] Heterarchy is used in this case to depict power relations among social-political organisations that are sub-systems of a larger system.

[101] In non-hegemony states like those considered dominated in Africa, scholars like Alex Thomson (2010) see diffused power, limited power ranges, lack of political boundaries as some of the key features. On kinship, they see power based on social ties rather than ideas as predominant.

[102] State, it seems, is an advanced stage of community governance model that followed what Grinin and Korotayev (2009) refer to as politogenesis, which is the development of polities like chiefdoms and kingdoms for the hierarchal models or stateless ones for the heterarchy culture.

[103] Among the egalitarian system of governance, age groups were a status symbol and particularly for elders, they differed from one society to another. In some cases as we will see in the case of Acholi, elders were advisors rather thn rulers, leading non-leaders.

matriarchal authorities existed in some communities in Angola, Namibia, Ethiopia and Ghana for instance, the majority of Africa had a patriarchal culture as the dominant power base (Claessen, 2014: 3-7).

Ethnographically, there were many cases of hierarchy and heterarchy cultures. The "indispensible conditions" for change varied with different societies and these energised the evolution of governing institutions, procedures and rules. Kurtz (2004) for instance, submits that most explanations about the social-political evolution of community governance systems relied on either material forces, such as ideologies and/or environmental forces, such as droughts and the accompanying famine (Carneiro, 2002:96; Cohen, 1968). However, evolution is too complex to be explained by a single cause or prime mover.

In the case of Africa, the evolutionary process was, it seems, too slow and unfortunately rudely interrupted by colonialism (Thomson, 2010: 1-8.). Additionally, the specific forms of societies that emerged were different with social-political organisations, in some cases, less despotic, influenced by the context. Works of earlier scholars, including Coquery-Vidrovitch (1980: 268-285), point to the fact that the path taken by the African societies differed substantially from their counterparts in Europe and Asia (e.g., Itandala, 1986:29-45). Due to the variegated nature of colonialism, modern states in Africa at independence were largely missed. Rather, a bifurcated power was established, which, according to Mamdani (1996), established a modern system in the urban areas and retained a form of reformed tradition in the rural areas. In other words, class formation was based on locality in Africa.

Kurtz's (2004) genetic pulse model submits that synergies from material forces, environmental factors, political practices, and an ideological *hegemonic acculturation* are required to galvanise transformation. This is because all of these conditions, as a group, impact on the institutions, culture, and human practices of a given political community. They are, according to Kurtz (2004), historically and ethnographically situated and contextualised, fomenting in the social, cultural, and economic lives of the political community.

Typologies of community organisations

Claessen (2014) sees chiefdoms as part of the early state organisation. Chiefdoms, for instance, were a common model of community governance in

some parts of Africa. Chiefdom as explained in the anthropological theory, is a form of social organisation that was arguably closer to what Western civilisation categorised as kingdoms[104]. Carneiro defines chiefdom as "an autonomous political unit comprising a number of villages or communities under the permanent control of a paramount chief" (Carneiro, 1981:41). He asserts that some of the key features of chiefdoms included centralised authority to the rulers and pervasive inequality (see: Claessen, 2010:101-117; Earle, 2011: 22). Implicit in these features was the permanence of control by paramount chief and social stratifications, in which there were rulers and subjects. The defining process of chiefdoms, argues Claessen (2014), is an emergent political economy that "mobilized resources" used to sustain institutions of rule and social stratification. In some of the cases, individuals could change social class during a lifetime, for instance, if one is married into the elite class, or if one was aged and attractive, it could change one's social status and role. The rulers, who were the elite, ruled with the greatest influence, power, and prestige.

Canerio (1981) suggested two typologies of chiefdoms based on the extent of power exhibited. One was the more ordinary while the other was more autocratic. The ordinary one was made up of two sub-systems: one, a nucleus community that was enfolded by, or living close to, a number of smaller non-cores as the second sub-system. The non-core communities recognised the authority of core as a single or an individual with hereditary centralised power, found in the core community. Each of these social groups had their own leaders who were usually in a tributary and/or "had a submissive relationship to the ruling elite of the primary community" (Claessen, 2010:101-117). Then, there was the complex type. The communities in this case were controlled and ruled by a single paramount chief. This type of chiefdom has two or more tiers of political hierarchies. There were the nobles, who were the ruling class, and then the working class. "Chiefs" were the political leaders of these organisations (Cook, 2005; Claessen, 2010:110). The term "chiefs", Claessen (2010) comments, has been used in anthropological, archaeological, and even historical literature but with no agreement on the content of the concept. Most anthropologists, he

[104] Chiefdoms are highly variable, but they are all about power and political legitimacy, which is the essence of governance. It could be an existence of clientage system that was based on cattle ownership as Beattie (1960) noted in the case of Bunyoro, or a form of patronage system based on land ownership that typified the Buganda kingdom.

asserts, have included many aspects of social and economic incentives when they define chiefs (Claessen, 2010:101-117)[105].

The households of chiefs are royals. The royal, it is alleged, considers that performing censored rituals was their obligation and a payback to the subjects for their contributions to the sustenance of the chiefdoms. In addition, they made token symbolic redistribution of food and other goods (see: Cooks, 2005; Timothy, 2011). Carneiro (1981) observes that in the case of two or three tiered chiefdoms, higher-ranking chiefs have control over a number of lesser ranking individuals. In the case of Baganda in Uganda for instance, the higher tier was termed a *Kabaka* while the lesser ones were the *basazza*[106].

Each of these chiefs controlled specific territory, clans or social units. Political control typically rests on the chief's ability to maintain access to a sufficiently large body of tribute, passed up the line by lesser chiefs. These lesser chiefs in turn collect from those below them, from communities close to their own centres. I have laid out this information to enable us discuss the Acholi situation, which scholars have continued to call chiefdoms. By 1898, there were probably seventy or more of these types of centralised organisations in Acholiland. My view, though, is that these structures, the *kaka*, do not meet the descriptions of what scholars have called chiefdoms.

The evolution of state as collectivity

State as a concept has been difficult to define because of the ideological divide between those in support and those against it. Some scholars, like Caessen (2010), present the evolution of state as a continuum where there was an early stage with limitations in community governance to one with some kind of advancement (Caessen, 2010:106-110). Others, like Hyden (2006: Location 771-783), see states as interventions, a reform of existing systems of governance[107].

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[105] For instance, chiefs are considered as ascribed or inherited top positions in societal social structures. In some instances, they were central in a redistributive economy, had sacred capacities, commissioned the erection of great works in the public sphere, and had an inclination to warfare.

[106] Discussion with Prof. Latigo Ogenga in his farm in Nwoya in May 2010.

[107] From the various literature dispositions, the theorisation of states may have largely been speculative, driven by what it should or should not be. Be that as it may, its development was based on the creation of despotic relationship between

There are a number of viewpoints advanced, which suggests that the formation of states was only one of many developments in support of community governance. Other scholars even felt that the force applied in some instances in the formation of state was not necessary. Patrica A. Shifferd, for instance, acknowledges that state formation was in many instances, a decadent (Shifferd, 1987: 39-53).

> **…'The emergence of the state, whatever its benefits, carried economic and political costs for most of the individuals and corporate groups in the affected societies. The enlarged coercive, expropriate, and imperialistic potential of the state, even the very early one, was paid for by some loss of independence and discretionary action by the majority of the people" (**Shifferd, 1987: 44ff **).**

Clastres in *"La Societe l'Elat"* is quoted as saying that the formation of state would have been prevented if people knew the danger associated with it (Clastres, 1974: 1).

Historically, the state was formed to address problems that were inherent in the autocratic traditional systems in Europe, where hereditary power of the lord or king prevailed (Weber, 1947). Warren (1980) sees preservation of traditional communities, including the patrimonial chiefdoms, as a folly that negatively undermines the welfare purpose of modern states in Europe. This is an important point, especially when discussing state formation in Africa, because the context was quite different (Chilver, 1959: 378-381). A state, therefore, became a form of community, a collectivity, created to serve a political relationship that had pitched patrimonial regimes against their subjects. Hence, as a product of societal relations, it is envisioned not to be reified, personalised, or sacralised (Claessen, 2002:102). This, ideally, is the welfare state, one that aims to rectify historical distortions. It is a demand-led reform in traditional governance.

Defining states

Radcliffe-Brown's (1940) viewpoint is that 'it is a collection of individual social beings connected by a complex system of relations". Within that organisation different individuals have different roles, and some are in possession of special power or authority' (Radcliffe-Brown, 1940:ix-xxiii). However, most

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social class and the state. This was in response to the need for redistribution, which we will see, was not so much applicable in the case of Acholi.

forms of states are hierarchical organisations with systems of power that are legitimised for specific functions. This seems to agree with Thomson's (2010: Location 383) minimalist definition of a state, which recognises three main components, namely, a set of political institutions or community, governed within a delimited sovereign territory, by a specific type of government. Yet, in the modern state, power is not limited to the bodies of these institutions and the territory.

Scholars contend that the reason that state is the dominant model of authority has to do with the specific type of government or its governance realm (Hyden, 2006: Location 771-791; Thomson, 2010:8-23). Two important features of the state, the political centralisation – where power is concentrated in the political institutions, the bureaucrats – and specialisation in administration, are arguably, the two pillars of the modern theory of the state that set it apart as a governing model. Weber (1947) cited in Berrand and Birnbaum (1983:20) argues that the development of the rational and bureaucratic forms of administration was what gave state and the civilisation its modern character (see for instance: Bertrand and Birnbaum, 1983:20). As a model of organisation, it expresses specific and despotic form of orders in the society. Additionally, it defines social, political and economic relationships in the society as well as the concepts of power, authority, force, justice and property rights (see: Engel, 1972:232).

Yet, bureaucracy cannot be said to have been specific to the state only (see: Kristiansen, 1998:5-12). There are others that are arguably worse (Kristiansen, 1998:5-12). However, the necessary conditions for state formation, including the existence of ideology - to justify hierarchical administration and an inequality of the society based on their vulnerability (Earie, 1991:1-15) - immense danger that triggered population pressure and organisation in the formation of a critical mass of societies differed significantly, especially in Africa (Coquery-Vidrovitch, 1980:104). Nevertheless, the development of a convincing political legitimacy and shared norms were however, critical (e.g., Webster, 1964; Beetham, 1991). These necessary conditions were very unlikely to be achieved in any single case (Shiffered, 1987:102).

In summary, the state, it seems, is a social-political organisation that, as Fukuyama (2013:348) noted, dominates the control of power. This power is centralised in the hands of bureaucrats, who are special administrators. As a

centralised organisation, it occupies a territory under its jurisdiction. The principal or political leader is a special government, elected by the people, and it has the mandate of the stakeholders to issue laws and regulations and, as such, it is the legitimised power to maintain these laws through the use of both authority and force, or threats of force. The principal also has a duty to ensure separation of roles, impartiality and maintaining order in the system. There are a couple of salient points emerging from this discussion that are important for communal governance. First, from the historical narratives, the state is a delegated authority entrusted to maintain order with a high level of impartiality and specialisation. This bestows upon the state significant governing power that have often been abused in the case of most African countries. Secondly, the logic of new governance weakens the distinction between states and the other domains of social order by smuggling in the importance of markets, networks and non-state actors.

Debating the African's Gridlock in Governance

In conducting this analysis, I have adopted a subtle and creative synthesis of the theoretical debate on Africa's stalemate in political governance, which revolves around two diverse schools of thought: the modernists, and the communitarians (e.g., Mamdani, 1996:3; Hyden, 2006:location 166; Thomason, 2010: Locations 275-317).

The African scholars of the modernist school

The African scholars of the modernist school, which include William Ochieng and Areoye Oyebola and others, contend that the problem of Africa's gridlock arises from its historical trajectories (see: Ochieng, 1974: 1-10; Oyebola, 1976: 1-13; Hyden, 2006: Locations 159-194 and Thomson, 2010: 8-23). Central to this is the absence of liberal democratic institutions. These groups of scholars, as Mamdani (1996) pointed out, are Euro-centric in their views, contending that reforms in these political institutions should conform to western systems of democracy since this model is applicable world-wide (Thomson, 2010: Location 275-317; Hyden, 2006: Chapter 3)[108].

[108] For a detailed discussion of these issues, see for instance Alex Thomson (2010 and Goran Hyden, (2006). These scholars have categorised pre-colonial issues as non-

This argument, however, has a number of limitations. First, it denies heterogeneity in governing styles as an innovation that is capable of shaping global political discourse. As such, it sees modernity as simply embedded in Western democracies. It also, as Fukuyama (2013) alluded to, makes the wrong assumption that there is correlation between good governance and democracy, even though these two concepts reinforce each other. Good governance, as in economic growth, has been synonymous with China, which generally is seen by the West as nondemocratic.

For me, some of the highlighted "weaknesses", including the traditions of the "weak forms" of the indigenous state and kinship allegiance, are opportunities when taken in their own merit. Kaplan (2008) admits that preoccupation with what is common to the West has often faulted innovations in the North that served generations of people as valuable resources (Fukuyama, 2013:348)[109]. Seen from a moral economy of inequality, Africa's future lies within its abundant resources, including fiduciary cultures; and to expound on the failed neoliberalism policies without offering meaningful alternatives represents an immorality (see: Sachweh, 2011: 419-445; Shipton, 2007; Sachweh, 2011:426). States, based on the historical experience in the West, were outcomes of negotiation reached between the subjects and the rulers. In the case of Africa, states could at best be seen as an end and not the means for emancipation because these communal systems lack the perfect coordination, which is a form of the co-management type of interaction. As further elucidated in the context of Acholiland later in the study, the moral economy as a paradigm is about marketplace and public issues as much as it is also about human economy and the private sector[110].

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hegemonic systems, which are mainly about centralising authority as was the case in Europe, and the weak civic-public allegiance arising from stronger societal bonds that gives powers to the status leaders rather than "formal political office" and the associated patronage built in it. Colonial legacies, however, tried to create states in Africa based on the models found in Europe – arbitrary borders, foreign governments in control and no civil societies linked with it as was the case in Europe, among others.

[109] Fukuyama (2013:348) comments that most studies and aid programmes in non-democratic African countries mainly focus on addressing pertinent issues like democracy, accountability and the rule of law, suggesting that the West has conceded that the political institutions that check power are critical in advancing western democracy in Africa.

[110] Fiduciary culture, like kinship, constitutes common or corporate property that demands the right approach to reconstitute into forward-looking entities. If it can effectively specialise in collective violence today, it does imply that, given the right

This is because the history of reforms in governance, aimed at situating Africa within the Western capitalistic model, has thus far been disappointing[111]. Harmonisation of the political "rules of the game" with those of the West, based on the instruments prescribed by Western institutions, will not, it seems, yield the desired outcomes (See: Afigbo, 1985; Kapteijins, 1979; Betts, 1992; Kaplan, 2008: Location 529-537). There is a general consensus today that contexts require specificity and relevance, and that no two countries, or even two locations within a country, are exactly the same and require the same "rule of the game" (See: World Bank, 2002).

The African issue is either a case of limited statehood or states at risk (see: Risse, 2011: Location 96-118 to 859-64). The question of state at risk or fragile states is also presented normatively towards the highly developed Western and democratic states (See: Rotberg, 2003, 2004). The benchmarks for these are prescribed in the western democracy, capitalistic production and the rule of law (Liefried and Zum, 2005). This, argues Risse (2011:11-15), is problematic on both analytical and normative grounds. First on the normative ground, it presupposes that the Western form of statehood is synonymous with a market economy. In fact, when states are seen as political entities that provide services and public goods, many states including some in the west do not qualify (Risse, 2011:11-15). Second, it undermines the viewpoint of pluralism, including pluralistic modernity or civilisation that is driven by variegated cultures and context.

African scholars of communitarian viewpoints

In contrast, the communitarian's viewpoints are entrenched in defence of African "traditions" and cultures, arguing that traditional political systems are still essential to politics in the continent and especially to the building of democracies. Simply, they argue that traditional institutions like *kaka* are more accessible, flexible, respected and legitimate (see: Logan, 2008:1; Mamdani, 1996:8; Keulder, 1998:11). As Logan (2008:1) pointed out, proponents of African "traditions" argue that traditional institutions have proved both "malleable and

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incentives, it can be appropriately skilled for effective interaction with other entities within the social-political system. In doing this, the right people, the Africans, can best shape it course as they have lived it and can understand it.

[111] Even with the optimism from the donor community, the persistent reports of civil societies particularly in Africa points to increasing inequality and desperation.

adaptable" and can draw on their "good" history in a very valuable way. However, there are features of traditional systems that are contestable, for instance - that the traditional system is not accountable and often "demands consensus" instead of consent (See: Molutsi, 2004:162 and Mattes, 1997:5). Furthermore, the system appears to promote domination by male elders at the expense of the youth and women[112]. Governing interactions demand coordination and most traditional systems are seen as lacking the impartiality or objectivity as well as the capacity of administration desirable for governing interactions (Molutsi, 2004:162). Even then, the content of "tradition", and the identity of the so-called elders or leaders as status leaders, has been contested (Branch, 2006: 45). The decades of manipulation of what Africa was in the past by colonialists and post-colonial regimes raise more questions on the validity of these traditions (Driberg (1927:155-171)[113]. Ranger (1998) in his compelling argument on "invented traditions" explains how people with different political backgrounds, incentives and affiliations, have cast the past in a mystery of manipulation and distortion.

Both the colonial officials and their local interpreters "invented" traditions, which are now considered the authoritative past (See: Mamdani (2002:7)[114]. Mamdani (2002:7) puts it even more starkly by claiming that the "political project called indirect rule aimed to unpack native tradition, to disentangle its different strands, to separate the authoritarian from the emancipatory, thereby to repack tradition as authoritarian and ethnic and to harness it to the colonial project. By repacking native passions and cultures selectively, it sought to pit these very passions and cultures against one another.

Hence, traditional institutions that were constructed based on these

[112] This point, I have argued, may be over generalisation. However, it points to concerted perceptions that need to be considered while arguing for traditional models, which are also very diverse.

[113] J.H Driberg (1927:155-171) in his Anthropology in Colonial Administration confirmed the extraneous purpose and the handiness in which expert colonial administrators "were given a very wide latitude and authority" to modify or completely change tribal customs and constitutions even when nothing scientifically was known about the organizations of these natives

[114] See: Mamdani (2002:7) where he applied political science as a lens in understanding the reform by colonialists in Africa.

reform agendas could not be presented as democratic[115]. At most, they were, as the Bible says in The Book of Mark, "new wine in an old wine skin", with the old agenda that the independent countries had fought to change (Mark 2:22). Branch (2008), in his study of displacement in Gulu town, has already alluded to this fact:

> **However, while some revival of 'traditional authority' seems to be widely supported among Acholi, there is controversy over just what their authority will comprise, and its domain will be, in the post-war period. Among women and youth, especially those in town, a return to the pre-war order, or the idealisations of the pre-war order advocated by many male elders, would neither be practical nor just (**Branch, 2008:15)

While these are certainly compelling arguments and there is noticeable divergence between the two schools of thought, Africa is characterised by institutional pluralism. The two most noticeable ones are the formal and informal sets of institutions. They co-exist and are supplemented by a third pillar, a hybrid, which some scholars have argued are informal behaviours rather than social rules (See: De Soya and Jutting, 2006; Hemlet and Levitsky, 2006: Location 384). In fact, the hybrid, as Mamdani (2014: Location 429-48), observes, is what constitute what is considered as customary. Logan (2008:2) for instance, states that the sharp contrast that is often drawn between these schools of thought, "reflect a false dichotomy" in real terms. As such, it is difficult to make a generalised conclusion about the relationships that exist between the formal local authorities and the informal traditional systems, something I have discussed extensively in the last part of this Chapter (Helmke and Levitsky, 2006: Location 3367-3672). But in economies that are emerging out of wars, like in the case of South Sudan, Somalia, Liberia and Northern Uganda, there are strong indications that the two systems work in support of community governance in a complementary manner.

I have, therefore, adopted a more informed theoretical perspective that critiques and evaluates the different and competing perceptions with a clear notion that reality is multi-faceted and needs to be appreciated in that context.

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[115] A recent study of the relevancy of traditional leaders in Africa, carried out by Logan (2011), notes that traditional authorities are not fundamentally in competition with the state or with elected leaders and the support for "chiefs" is far more intrinsic than instrumental, thereby placing their performance at best as a minor issue in keeping them relevant. However, in Acholiland, these "chiefs" enjoy the backing of the state and thus far, have not depended on local support.

My viewpoint is that cross modern, which is an appropriate combination of the two, is appropriate for Africa. This is because for more than one hundred and fifty years, the authoritative modern states have not taken root in Africa and is unlikely to. To the contrary, states have remained predatory to the citizen and misused their powers to destabilise even good customs. Some scholars of social capital for instance see the operation of formal institutions as moderated by available civic traditions that are in turn shaped by historical trajectories (e.g., Putnam, 1993).

In Annex 2.3, I used literature to analyse how pluralism have influenced community governance in fulfilment of the Second Part of the Chapter. Thus, Part Two (put as Annex 2.3) starts with an overview of what scholars say institutions are - linking community governance to institutional change outcomes and also discussing the different types of institutions. The three main theories of institutional change are also discussed.

Concluding Remarks

In this Chapter, I sought to link governance to institutional change outcomes, which are governing practices that are multilateral and multi-layered. My aim has been to unmask the continuing discourse in the conceptualisation of community governance and institutional change outcomes particularly in the context of fragile situations. The literature on these two concepts is diverse and thus far, inconsistent. Research on these matters is challenged by such divergence and, at the same time, acknowledges the successful intellect and creativity of the interdisciplinary approach as a powerful tool in imagining, abstracting and integrating the different disciplines.

This Chapter has clearly unmasked the persistent scholarly contradictions in the theories and conceptualisation of community, governance, institutions and institutional changes, which, I have argued, are the consequences of disciplinary orientations. In framing institutions as comprising sets of rules, both formal and informal - conventions, habits and norms and values - we acknowledge that institutions are independent from the social-political agencies. Actors draw from these institutions and, in doing so, reproduce or change them, depending on their usefulness to their activities.

In the contextualisation of the Acholi as an object of research as well as in the discussion of empirical results, institutional change outcomes as a governing practice is discussed based on these arguments. The equilibrium view provides a closer insight into the Acholi's situation because it treats both informal and formal rules, and their enforcement, within an integrated framework.

Even when formality has been introduced, the formal rules are not necessarily straightforward, enforceable and enforced by the state, as it seems likely the experiences of institutional changes have been mixed and largely driven by some political desire. Furthermore, the various kinds of "informal" constraints, or at best pluralistic innovations, are not clearly differentiated or understood by the new systems. The analysis employs empirical evidence to identify how the various kinds of informality in governance work, how they change, how quickly they change, and how they interact with formal rules in both a static and dynamic sense.

Chapter Three –Contextualising the Politics of the Acholi of Uganda

Introductory Remarks

Three bodies of scholarly writing within peace studies have been used to situate the politics of Acholiland within national, regional and global context. The first body of writing is rooted in the contemporary literature on social capital, a concept that generally refers to institutions, relationships, attitudes, and values that govern societal interactions (World Bank, 2011). In itself, social capital is a multidisciplinary field that includes social anthropology, political science, economics and political history (e.g., Woolclock, 1998:151-200; Hogg, 2001:23; Hogg *et al*., 1998:56). In the field of community governance as a tool of inquiry, social capital is synonymous with social-political capital (see: Kooiman, 2003:62; Shipton, 2007:17) or "fiduciary culture" – which is the culture of trust and entrustment (Shipton, 2007:12). In other words, social capital is the "bonds of shared values" or the glue that holds social groups and societies together[116]. As such, it demands investing in its growth. This is because social obligations and expectations, norms and effective sanctions, and leadership, are some aspects of social capital that are critical for contextualising relationships.

In the study, the social capital concept is used to contextualise phenomena as varied as community support mechanisms, social control and contracts, trust and social organisations. Berman and Kawachi (2000) see social capital as a subset of social cohesion, and social cohesion refers to first and foremost, an absence of latent conflicts. However, it also denotes the existence of strong social bonds among the members, measured by the high levels of entrustment, norms of reciprocation, and strong institutions for conflict management.

The explicit and implicit concern about social capital is that it is relational and a resource of the community rather than for individuals. Contextualise in this way; social capital is a political capital that members and social groups can draw upon. This however, means that for continued benefit it demands continued mobilisation (Bourdieu, 1980). The notion that it is a group property and can be

[116] Examples of conceptualisation of social capital is found in: Putnum, 1957; Bourdieu, 1980; Coleman, 1990; Woolclock, 1998; Horowitz, 1998; Anderson 1983

constructed or destroyed, and that it is institutionalised by long-term and durable relationships, is important in explaining the moral significance of community governance in creating cohesive societies.

I have used social capital to discuss and contextualise both the positive and negative notion of entrustment and obligations, relationships, equality/inequality, inclusion/exclusion, and agency/structure (Shipton, 2007:12-24). Both Atkinson (1999) and Hills (1998) presented three aspects of social exclusion that are relevant in my case: first, as a relative aspect, that is, when exclusion is identified with a given set of community - say women, at a particular time and place (Atkinson, 1999:15 and Hills, 1998:13); the second is as an intended act by a system, hence, an agent; and finally, as a dynamic response to future significance without a predetermined intention. Overall, scholarly work points to the fact that even in organised and cohesive society, social capital can be used to undermine cohesion and to fragment the society. For instance, Colleta and Cullen (2001) have demonstrated in the case of Rwanda and Cambodia how the existence of strong exclusionary bonds within social groups when combined with weak links with the central authorities and the other social systems can present a strong recipe for violence.

The second body of writing is found in the literature on structural violence and, like social capital, it adopts a multidisciplinary perspective[117]. Within this theoretical framework, the study contextualises how structures and policies have constrained the people of Acholi from enjoying their full potentials (e.g., Galtung, 1969; Schepre-Hughes, 1992). Two salient and rather indefensible aspects resonate with the Acholi case study. These are inequality - which has some historical dimension (see: Leys, 1962; NUSAF Report, 2004:3-6) - and human right violations (see for instance: Dolan, 2005, 2011:107-150). Inequality in this context, conjures images of marginalisation, deprivation and exploitation as manifested by extreme poverty indices and the levels of individual or group hopelessness (World Bank, 2001, 2006). As later presented in the empirical chapters, it is difficult to contextualise whether extreme poverty has been actually the cause or is a consequence of both conflicts and violent ones. Unfortunately, inequality cannot in this case, be identified specifically with a

[117] Structural violence is a popular phenomenon in law as a professional discipline, various anthropological research fields, history, sociology, political science, psychology and economic studies.

specific actor. On the other hand, human rights violations, which have been highly interrogated in the case of Acholiland – during both colonial and postcolonial eras - present visible images of sustained tortures, displacements, and physical damages that are easily isolated with specific perpetuators (e.g., Finnström, 2008:131-136; Dolan, 2011: Chapter 3 and 8; Branch, 2011: 95-99).

Ndlvou-Gatsheni (2011), while lamenting on the endemic nature and longevity of violence in Africa submits that "coloniality" – which is rooted in colonialism but is also distinct from it – is one of the key conceptual tools underpinning structural violence (see also Torres, 2007:243). "Coloniality", he maintains, symbolises dependency, which is defined by the long-standing patterns of power that continues to define culture, labour, relations and knowledge generation. The immorality of "coloniality" as a vice includes in this case, how gender and age group are contextualised in community governance. It also seeks to validate the notion that race and ethnicity sit at the centre of "coloniality" and that "modernity project" is the instrument of its realisation (Escobar, 2007:179-210).

In the study, I have contextualised the implications of such governing actions enacted to modernise the Africans[118]. In particular, the study discusses the implications of policies that reinforced all forms of prejudices and constrained all social groups in Acholiland from reaching their potential. This includes, for instance, understanding how the culture of the Acholi have continued to relate the different social groups like the women to the other social groups. I have also looked at the formal rules and procedures that were enacted to govern the Acholi, including those that were specifically structured for the "pacification" of the Acholi during colonial and post-colonial eras (Branch (2011:18-19)[119].

In contextualising community governance during the NRM, I have argued that through the use of selective governing actions and instruments, Uganda as a state - together with sets of its development partners - concurred to delegitimise and dehumanize a set of its people in the process of its encapsulation within a state that has evolved from a colonial legacy of dominance

[118] For some of these analyses, see Finnstrom (2008:Chapter 3) and as well some narratives from Uma-Owiny, 2013: 55-105.

[119] See for instance: Odoi (2010) in discussing some of the Ordinance used during colonial period and Branch (2011:18-19) for series of governing actions and instruments used during post-colonial eras.

to a global frontier of capitalist enslavement (Schepre-Hughes, 1992; Iliffe, 1979). That through the modernity project, there has been systematic and sustained erosion of the Acholi community systems, which has prevented the Acholi from achieving their collective and individual potential (e.g., Dolan, 2005, 2011:184-187). I further submit that the shift in strategy away from what is generally considered the domain of moral economy has distorted relationships in Acholiland, established a chain of command with a linear flow of ideas from the government for implementation at the decentralised level. This has created a chain of dependency on foreign goods and services for which the Acholi have no control and remained chained to it conditions (P'Ojok, 2007:1-12). This sustained development underscores the forms and processes of transformative governing actions that are immoral because the outcomes are humiliating, some of which resulted in the forceful dismantling of an organic processes of state formation in Acholiland that had been going on for centuries (see: Atkinson, 1999, 2010:333-335).

The third and final body of work is founded in the literature on Transitional Justice (TJ), which is a self-conscious interdisciplinary field (Fischer, 2011:406-430). Its origin can be traced to the post World War II period in Europe. Since then, TJ has gained momentum and coherence with its early epistemology of jurisprudence of human rights, shifting to embrace strong elements of democratisation and development. In the thesis[120], the TJ concept is used to contextualise the history of governing actions, violence and policies towards transitional human rights, criminal persecution, truth telling, and reparations as important community governance issues (see for instance: De Grieff and Duthie, 2009). As such, it is state driven, because Acholiland is being viewed as part of the Uganda state. The various attempts to reconstruct and develop Acholiland are top-down, embedded within the legal framework of the Uganda state.

Although nationally driven, the response of TJ is grounded in international experiences (Hayner, 2005 and Boraine, 2004). Additionally, TJ is arguably, targeting civil and political rights (Gready and Robins, 2014: 1-14). Yet,

[120] For an Acholi specific discussion on this issues there are wide ranging discussions by scholars and civil societies including for instance a summary report by the JRP: Justice and Reconciliation Project, August 25, 2011 in Landmark Hotel, Soroti, Uganda. Also see Refugee Laws Project at: www.refugeelawsproject.org.

in the case of Acholiland human rights need to be contextualised as indivisible and interdependent because of the structure and history of violence as discussed later (see for instance Dolan, 2011:67). Within the TJ framework, I examined how acknowledged expert powers of the "traditional system" coped with the legacy of violence and the associated changing rules and regulations enacted in pursuance of "coloniality". Specifically, I examined the legacy of "coloniality" legal practices manifested through the "modernity project" - which attenuates legal-rationality as a governing realm of the political elites (see for instance: Quijano, 2000:1)[121].

For instance, while the acknowledge expert views of the Acholi *macon* rested in promoting transformative justice, Mamdani (2002) avows that under "coloniality", the African politics have shifted course, from pursing political justice to promoting reconciliation[122]. The transformative justice of the Acholi system adopts multi-sectorial and interdisciplinary approaches and unlike TJ, takes human rights and social justice as diverse and localised and therefore contextual and community-driven (see for instance: Gready and Robins, 2014:2). Hence, the blind push for reconciliation as a top-down response to conflict presupposes that human rights are universal in nature and therefore, can be moderated by legal and state-based measures. However, top-down driven reconciliation merely accentuates the rights of the parties engaged in the conflicts. As such, it gives less attention to empirical and evidential approaches (Gready and Robins, 2014:2).

Appealing as this argument may be, I argue that rights need to be understood from a diverse context and understandably, should be visited in the courts of law. Insistence on reconciliation, which is a top-down prescription in response to violence, undermines the promulgation of social justice for those that seek it. Whenever this is adopted in the absence of true justice, there is likelihood that new conflicts will recur and with high possibilities of becoming more violent (see: Collier, 2004). This is why when Mbeki and Mamdani (2014) politicised criminal actions by African leaders in the debate regarding the

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[121] My argument as presented above is to suggest that TJ is sort of the transformative approach that is desirable for the Acholiland where change during transition should be multilayered process, stimulated by empherical evidence of living it.

[122] See: Collier, 2004 – who submitted that violence often recurs after sometime following miscourage of justice

International Criminal Court (ICC), I shudder as I see African states under the façade of legal pluralism, set to reconstruct criminality as political constituencies (See: Mamdani, 2014) [123].

The gist of this debate presupposes that violence is political because they are inspired by valid political differences between the parties. As such, the proponents of the debate suggest that criminalisation of political violence is wrong because the issues involved are not substance for the court of law. They for instance, argue that the courts are blunt tools of instating political orders because they are limited to making only two choices – either guilty or not, yet in the case of political violence, making this distinction is not only difficult. It is also wrong (see: Kagwanja, 2014:1-3). The logic behind this argument is that often there are no obvious victims or by standers or perpetuators of political violence. In fact, all the parties involved do at one point or the other ascribe to these different positions.

In the case of the recent violence in Acholiland that set the rouge LRA bandits against the UPDF, the interpretation of this scenario would be that the Acholi, the LRA and the state - all had at one point on the other – had a stake in the violence as victims, perpetuators and/or by standers. This logic, shares the brand of a top-down prescription of reconciliation by the state in resolving long time conflicts like the LRA case. In both these instances, sufferings are politicised rather than addressed. The core of the violence that rocked Acholiland had a constituency in social power. As such, those who wield the power had more to do with its longtivity and the ugly face, it administered.

However, violent conflict in Acholiland has a history of reoccurrence since the nineteenth century. Finnström (2008) and Branch (2011) admitted that most violent conflicts in Acholiland carry similar traits of brutality. They are ingrained in the policy of "coloniality" that seeks to torture the Acholi and submit them into subjects of the authorities. Additionally, reconciliation in the case of such violence is unattainable as the ultimate point of contention is about power

[123] The original article on this debate appeared in the New York Times on February 5, 2014. Professor Mahmood Mamdani further moved the debate to the podium at a public lecture "Can courts end civil wars?" organised by Kenyatta University and the Nation Media Group's East African University Debate Series on February 14, 2014. In his debate, Mamdani is decriminalising the actions of politicians by arguing that the events that happened in Kenya following the national election in 2008 was political.

play. As such, reconciliation is more like a means to "bribe" the subjects and coerce them into accepting the outcomes of the power play. This shift in policy away from pursuance of justice has resulted in sustained violence in Acholiland since the nineteenth century. It has pitched the powerful outsiders, seen by community as perpetuators, against political leaders from Acholiland, who have been perceived as weak and incompetent, having failed to coerce the society to succumb to centralise patronage.

This shift in ideology and practice contradicts the basic tenet of the societal social practice, which is all embracing and with positive implications for long-term stability and restoration of trust. While earlier consultations carried in northern Uganda might have revealed that the population overwhelmingly demanded for frontloading of amnesty to the perpetuators because it would enhance peace, the meaning of this gesture was misunderstood and distorted (see: Allen, 2006).

Contrary to the perceived blanket amnesty rhetoric – which fits into the new paradigm being advanced by African leaders - the Acholi that I interviewed indicated that front loading of amnesty to the LRA sought to secure an end to the two decades of unsuccessful military adventures by the UPDF, that failed to restore stability (Branch, 2005:1-21)[124]. The Acholi had been made to believe that amnesty would stop the uncoordinated troops movements within its territory and pave way for truth telling and search for social justice[125]. Especially, since the core of the LRA fighters were abducted children from Acholiland, the community felt obliged to forgive and reconcile with them, subject, however, to a Commission for social justice that would embrace the entire community[126]. It is, in my opinion, the sequencing of these concepts that was of concern. At no point could one state categorically that peace in Acholiland would prevail without investing in social justice[127].

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[124] For various attempts by the government to win wars against the rebellion in the north see detailed analysis of the strategies and failures by UPDF beyond the camps periods.

[125] These feelings came out very clearly in the interviews and focus group discussions held over the years.

[126] See for instance the views of the community collected by CSOs in the ARLPI 12 at http://www.arlpi.org (Accessed: several times)

[127] Both a number of focus group discussions and interviews with youth, women and men were carried in Atyak and Awer camps. This issue was central in all direct

This is because justice seeks to redress impunity and, in doing so, resuscitates the emergence of social/political capital that is desirable for social integration and co-existence (see: Mamdani, 2002:2-6.). Reconciliation, on the other hand, merely accents the rights of the conflicting parties thereby, undermining the genuine process of forgiveness. I have focused on this perspective because both retributive and restorative justices have been central in the Acholi community governance system[128]. Arguably, most *lweny kaka* I have been told about, sought to manage internal conflict and ensure social justice. Yet, the on-going failure in achieving social justice and peace in Acholiland has left the people in the eyes of political storms.[129]

In the views of the respondents, both the government and the LRA have a duty to genuinely confess for the atrocities they have committed, to take away the burdens of guessing about the motives behind the heavy handedness they both metered on the community. The LRA and the government need to publicly accept their roles and repair the damages caused to the people. It is only then that reconciliation can be meaningful. The sequencing of these events is critical. So, why decorate political violence?

My argument is that with legal pluralism in Africa, there are competing and sometimes, contradictory governing instruments selectively applied by the state to manipulate its options. Fakuyama (2013) asserts that the state is an organisation that distributes political power. In undemocratic systems, political powers have been misused by the states, to undermine true reconciliation. A case in mind in Uganda was the offering of blanket amnesty to warmongers since this conflict with existing laws that seek accountability for war crimes[130]. Regardless of the shortcomings in pushing for reconciliation ahead of or without justice, the state as a monopoly of power has the right in an undemocratic system to set laws like the Amnesty Act 2005, which has been applied to compromise the

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interviews since the central part of the research aimed to help Acholi find a way to resolving the situation

[128] Most people I talked to in Uganda think that Acholiland has rich experience in peace building because of its historical trajectory.

[129] Chapters 4 to 8 discuss most of the empirical data collected from the field, and social justice is one of the major areas of discussions.

[130] See for instance various consultative meetings and studies conducted on the Amnesty Act of 2000 summarised in an issue paper, The Amnesty Law (2000) Issues Paper: Review by the Transitional Justice Working Group, April 2012, available at: http://www.judicature.go.ug/files/download (Accessed:03/03/2013)

path of social justice[131]. Through reconciliation, there are no losers. However, violence and impunity are stoppable through the right governing actions.

Underlying this thesis is the view that institutional change outcomes can have direct bearings on societies. However, such outcomes are not the end by themselves, nor do they create completely new forms of identities and politics (see: Collison, 2004; Calhoun, 1994). For instance, for close to one hundred years now, attempts to break down kinship in favour of class ideation have not been as successful as envisioned (Hyden, 2006: Location 852, 1057). My conviction is that in the build-up to these protracted reforms over the years, some exceptional traditional values and core governance principles have survived because they are mediated by the environment and most of these have not changed. Secondly, some new practices are still unknown to the wider community because they are considered immoral to the general community. In this context, I have explored *tela* or leadership landscape and the ideals of collectivity or entrustment as two areas of exceptional behaviours that might have not changed significantly over time.

The Political History of State and Wars in Uganda

The context of this research combines a complex political environment with the dynamics of history making. In the case of the former, the study investigates the numerous social-political actors that have been engaged as part of the social-political system in which the Acholi was but a sub-system. In the latter case, I have periodised institutional change outcomes with the help of scholarly literature over the major political eras covering over one hundred and twelve years. This is mainly to compare how events of the last thirty years were quite similar to those in the past.

This study, in part, comprises *résumés* concerning constructive ways of describing and analysing the processes of social-political change, in a social system that has suffered from violent conflicts, from a multidisciplinary perspective. It draws considerably on my personal experience and knowledge of

[131] See important arguments from the legal fratanity on how amnesty in its enacted form was a hinderance to justice in northern Uganda in: JLOS (2012) The *Amnesty Law (2000) issues paper prepared for consideration by the Transitional Justice Working Group*. JLOS, Kampala-Uganda.

the Acholi society. In discussing governing interactions – the politics, wars and nationalism in state formation in Uganda – I looked at the structures of power and how political manoeuvres and manipulations either propagated enduring relationships or otherwise. This discussion is a critique of on-going debates on state as a model of governance. In particular, it advances the viewpoint that diversity, complexity and dynamism in governing practices demand governing interactions that enable enduring relationships. This is an outcome of a moral governance system.

Some narratives about Uganda state

Uganda is an eastern African country[132]. It gained independence from the British on October 9, 1962. Uganda state came into being when Buganda Kingdom (e.g., Ehrlich, 1965:452)[133] became a British Protectorate in 1894 (Wild, 1954:36; Onek-Adyenga, 2011; Leggett, 2006; Odhiambo *et al*, 2003). Its formation into a state was not easy because there was no history of serious political engagements among the units that eventually formed Uganda by 1962. Additionally, the British Government was not enthusiastic about its responsibility over the territory. However, this changed when on 23rd November 1892, the Christian Missionary Society (CMS) offered to meet all the colonial costs of the administration of Buganda (Ehrlich, 1965:452).

Unlike Kenya or the present Zimbabwe, Uganda was a protectorate, meaning that its territory, while accountable to the British crown, was governed under indirect rule. As a result, the British never invested adequately in technical and infrastructure development to propel the western model of a state that was authoritative and forcefully legitimate (see: Thomson, 2010:13-14). This, argued Gardner Thompson (2003:15), is because the "British colonial state in Uganda was alien to not only in origin but also in purpose". As such, the Uganda state was a bifurcation with the modern – representing the interests of the British colonialists - and the tradition systems working in tandem.

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[132] The colonial authorities governed Uganda for over seventy years as an independent but not sovereign state. Postcolonial governments have been in existence for 48 years by 2010 and it can be divided into: (i) the Obote regimes, 1962 to 1971 and 1980 to 1985; Idi Amin, 1971 to 1979; Okello Lutuwa's transitional period of 6 months in 1985 and the UNLF period, 1979. The NRM in total by 2010 had ruled for 24 years.

[133] In the bid for independence, the Buganda Kingdom insisted that the 1894 Agreement was signed between its rulers and the British's IBEAC and therefore sought the handing over Buganda Kingdom to the Baganda royal.

Nonetheless, the formation of Uganda State became a reality, compelled by external interests rather than those of the units that finally constituted it. The British had to apply force, conquered additional ethno-cultural entities and annexed them into the mainstream Buganda kingdom to create a Uganda state. In total, forty-eight ethnic tribes, most of them delineated by the British colonial authority, formed the Uganda state. These polities were diverse culturally and politically (Atkinson (2010, 1999:81-84; Baker (1874: Locations 5383-5394)[134]. Rubongoya (2007:17) contends that they had no prior history of political engagements nor shared common political ideologies.

Onyango-Odongo's (2007:9-13) *"How the British Ruined Uganda Civilisation"*, on the contrary states that Buganda, Bunyoro and Luo-Gang or the Acholi had some form of political interactions that might have evolved into some common political objectives - including the refining of political institutions that seemed to have occurred particularly between the Luo-Gang and the Bunyoro Kingdom. The point to note, however, is that the incentives and behaviours of the proponents of the state as a model of governance failed to galvanise a governable realm that was desirable for a modern state formation (see also: Hyden, 2006: Location 1038-1045; Thomas, 2010:8-23).

The arbitrary lumping together of politically diverse ethno-cultural groups served the interests of the colonialists. It constituted the first set of political discourses that failed the moral litmus test. Only sustained and institutionalised force of arms, use of patronage and the policy of divide and rule glued the union (see: Thompson, 2003:9-39; Thomson, 2010: 8-23). To this end, colonial administration was compromised when it hired the notorious Nubian forces as foreign mercenaries to establish order in the new Uganda.

The Nubians were Sudanese ex-slaves turned slave traders. They were driven out of Acholiland in the 1880s for their notoriety. They raped, killed and destroyed society in Acholiland as they set clans against each other (Finnström, 2008:59-61). However, in 1889, the British enlisted them and together with its

[134] Both Crazzolara (1951-3) and Sir Samuel Baker (1874: Locations 5383-5394) underscored the outstanding difference in the governance styles of the Luo and the Luo Gang in particular compared to Bunyoro and Buganda Kingdoms. While Atkinson (2010) argues that the Acholi's political structures of the 18th and 19th centuries adopted some form of the Banyoro, I have questioned in Chapter 2 some of these assertions.

own elite force, they formed the first contingent of the Uganda "national army". And they, together with Baganda loyalists, were deployed to pacify the new State of Uganda, including the new Acholi (Wild, 1954:36-39).

Seen from this depraved historical context, the first national army in Uganda was foreign. It had no remorse for the social groups that formed Uganda. This demonstrates that from the start, the Ugandan state ignored the key drivers of stability on several accounts. In addition to the above, it also ignored the societal differentiated political configurations that had emerged in the early 1800s (Rubongoya, 2007:62-67). These organic configurations[135] had the potential for supporting political order and in the construction of political commonalities (Roberts, 1986:70). For instance, A.D Roberts (1986) in *"The Sub-Imperialism of the Buganda"* made the observation that by extending colonialism to northern Uganda, which includes the present Acholiland, colonial authority "brings into the Protectorate a group of tribes whose organisation and customs were different" (Roberts, 1986:70).

The character of Uganda state during colonialism

The Uganda state during colonial era was a neo-patrimonial legitimacy characterised by a bifurcation of power (see: Rubogoya, 2007:6-11; Thomson, 2010: 1-8; Branch, 2011:46-50). A neo-patrimonial legitimacy is a façade of legal-rational bureaucracy that instead centralises power in the hands of the political principal, who in turn distributes it through patronage (see: Thomson, 2010:1-8 and Rubogoya, 2007: Chapter 1). The bifurcated authority was characterised by, on one hand, the so-called modern state - a seemingly legal-rational legitimacy where the state-societal relationship was defined by the western models of liberal democracy. While on the other hand, was a composite of diverse forms of "traditional" hegemony that were considered customary and tribal. Most of these tribal outfits including the Acholi District Administration had differentiated forms of political power structures. Four of these were identified as kingdoms, which were forms of African despotic of varying proportion and where power was centralised to political principal. Then, there were eleven "stateless"

[135] The Acholi speaking Luo Gang as an ethnic group is currently found in northern Uganda, Eastern Equatoria State in South Sudan and Gambela region of South Western part of Ethiopia. However, the Acholi of Uganda, which is the focus of this study, numbers about 1.6 million people by mid-July 2011, with 75 per cent of its population aged under 30 years, the majority of whom have little awareness of the history of the region.

polities that were named as districts. All these governance systems were at different stages of evolution into statehoods during colonial period (see: Rubogoya, 2007:2-14).

The new Uganda state was an imperial one, envisioned as a modern state, that is, a delegated authority entrusted to maintain order with a high level of impartiality and specialisation as conceptualised in Chapter Two. Its formation, however, was not an outcome of a negotiated agreement. Rather, it was superimposed on these numerous traditional systems. The Uganda state never replaced these traditional outfits. Where applicable, as was the case in Acholiland, it created a parallel and competing despotic structure alongside the old, which ended up with pluralistic governing realms. The state during the colonial period was also non-sovereign. This was because the state was accountable to the British crown, and the Church[136]. The power of the state was foreign-based and modelled for practicing a Western form of liberal democracy, even when the prerequisites for this were missing.

The traditional aspects, on the other hand, were complex and diverse. They were also dynamic, vibrant and opportunistic. For instance, the Buganda kingdom became the lead agency in the reform of the stateless units. Acholiland became one of the eleven districts that were designated as tribal units, largely constructed arbitrarily based on commonality in spoken languages (Finnström, 2008:54). The management of these districts was initially outsourced to the Baganda elites who set to retrofit them into the despotic model deemed important for indirect rule. As such, Acholiland was both a casualty of distortion and, a perpetuator of pluralism and political delegitimisation processes.

There was no serious commitment by the colonial power to establish a central authority and systems associated with a modern state. This is because Uganda was a protectorate. As such, except at the traditional levels of the community, Uganda, as a state did not attract any constitutional struggle, such as was seen in Kenya and Zimbabwe (see: Rubogoya, 2007:4-5; Thomson, 2010:13-14). This meant that Uganda's national leadership was based on

[136] Both Joshua Rubogonya (2007) and Onek-Adyanga (2011) wrote extensively on the Uganda historical transition. The consistent viewpoint of these Ugandan writers is that the missionaries' patronage resulted in the political identity formation, participation and contestation that were defined by religion that complicated the ethnic lines.

tribalised despots (Karugire, 1980:49-97). Furthermore, there was a tripartite governing architecture that did not crystallise into any form of national consensus. In the arrangement, the Buganda kingdom retained a federal set-up while the remaining three kingdoms and the eleven districts joined the state in their own rights. In other words, colonialism promulgated ethnic communities and identities that became a permanent landmark of Uganda state.

Postcolonial Uganda, 1962 to 2010

Uganda by 1962 comprised some forty-eight tribes, four kingdoms and eleven tribal districts. Acholiland was the largest of the eleven districts by size. After over one hundred and ten years of contemporary politics, Uganda as a state still lacks cohesiveness, having failed to foster conducive and legitimate social contracts with the dynamic and differentiated traditional ethno-polities to form a legal and modern state (Ginyera-Pinycwa, 2001:1-23; Rubongoya, 2007:13-17). The dominant modern governance realm is a variant of neo-patrimonial legitimacy that increasingly resembles an emerging monarchy. It increasingly represents a one-man rule characterised by patronage, state coercion and a brand of clientelism that is violently regressive (see: Rubongoya, 2007:4-5; Thomson, 2010:1-8).

Understandably, the British colonialists arbitrarily fixed tribal and political boundaries and proceeded to use an "independent constitution" in 1962 that established these political outfits with some elements of federalism and despotic decentralisation. The postcolonial regimes have not addressed these historical wrongs. On the contrary, they have made use of these differences and extended the colonial policy of divide and rule, which aims to stratify Ugandan society into classes according to tribes. This is what I have continuously referred to as "coloniality". Unfortunately, Acholiland has taken a hard-hitting version of this policy. It was a new creation in the image of centralised authority in the first place, with an important geopolitical vantage that needed to be directly governed.

The power structures in contemporary Uganda have been dysfunctional because they do not conform to the model of central governance as advocated by the proponents of state (Rubongoya, 2007:33). As such, the process of the acquisition of power during the postcolonial era has involved delegitimisation, with two indicators of instability. First, power allocation has been more by chance, ensuring that it was politically correct, rather than the enduring

governance realm (Rubongoya, 2007:34-38). Obote's assumption of leadership in the 1960s, arguably, lacked the legitimacy of competitiveness or charisma (Jogensen, 1981). Rather, Obote, according to Rubongoya (2007:34-39), came in by chance amidst other competent and more senior members of his party. The rest of the other postcolonial leaders, including Amin, Okello-Lutwa and Museveni, shot their ways into power, demonstrating how masculinity and militarism have created legitimacy in Uganda's political governance.

However, the NRM, unlike these others after ten years of military rule, bowed out to the international pressure and organised a general election, which it has successfully rigged since it presided over (Onyango-Obbo, 2014). Secondly, power allocation during these periods has been based on an individual's qualities and less on the institutions that supports them, something that contradicts the essence of this whole western-based process of democratic dispensation. It seems unlikely that a political reconstruction that would allow mutual accommodation of the different social groups will emerge at any point soon. This deep-rooted problem has been gravely misunderstood by all postcolonial governments, and most certainly now by the current NRM regime, which has been in power for over twenty-four years (see: Mamdani, 2002:1-4; Onyango-Odongo, 2009: 1-13; Mwenda, 2010:1-6).

The NRM initially set to legitimise and consolidate its authority by exploiting the general hatred for the northerners – who generally were referred to as the Acholi - which, from the perspectives of the southerners, embraced all those non-Bantu and those who are territorially labelled as from the political north of Uganda (see: Finnström, 2008:71-75, 78-84. They exploited the general malaise about the northerners and especially the armies – which included the Uganda Army during *Pax Oboteca* and *Pax Aminica*. Museveni and the NRM cleverly used their character and history as a southern-based social movement that would rid Uganda of the northerners (Finnström, 2008: 84-96; Dolan, 2011: 48). The most noticeable element of this politics was the political capital that flowed from Museveni as its leader (See: Tripp, 2008).

Incorporating of Acholiland into Uganda Protectorate

In order to situate the Acholi's politogenesis within scholarly context, a brief discussion of its historical background is important. As far back as the

eighteenth century, there were increasing waves of Europeanization in the entire Eastern and Central Africa. In particular, there was a build-up of European interests and legitimacy along the Nile Basin. In that context, Acholiland became a buffer zone for the British, sheltering its interests against other European colonialists in Central Africa (Onek-Adyanga, 2011:69-75). This strategic importance meant that Acholiland would remain a focus of foreign interest for as long as the situation demanded.

Conversely, the British had a prior and informal control over the present Acholiland as far back as the mid nineteenth century. As part of the Eastern Equatoria Province, Acholiland was under the Khedive of Egypt, who ruled it through the Turko-Egyptian administration. From 1863 to 1889, the Khedive of Egypt appointed three prominent British and German citizens namely, Sir Samuel Baker, General Charles Gordon and Emin Pasha respectively, as governors of the Eastern Equatoria Province (see: Odoi, 2010; Onek-Adyanga, 2011:41-53). These explorers-cum-administrators wrote extensively about the people who occupied the current Acholiland and their writings are seen as some of the earliest documentation of the Acholi of Uganda.

By the nineteenth century, Acholiland was an important source of trade in ivory, cattle and slaves. It also provided an important trading corridor, linking Khartoum in the north with the Eastern Coast (Grey, 1951:128; Girling, 1960:54). Additionally, it was a point of convergence, embracing three main and diverse societies - the Central Sudanic, the Eastern Nilotic and the Western Nilotic Luo. These ethnic groups were distinct but shared many social-political similarities (see: Atkinson, 1999:76; Crazzolara, 1950: 69-72), which included kinship and ideology, in addition to some common customs and beliefs that enabled and enhanced social interactions. Other non-hegemonic features of these societies were the free movement of people and the limited range of governing authorities by each of the groups (Thomson, 2010:10).

While Thomson (2010:14) sees the absence of political boundaries as one of the key features of pre-colonial communities in Africa, the situation that prevailed was different. Noticeably, the social construction of space and boundaries delineated governance and conflicts for economic and political interests. Uma-Owiny (2013) and Atkinson (1999, 2010) submit that Acholi territory was well known to the owners and *res nullus* was an internal debate among the social groups. Since the area was prone to droughts and famines,

and it was a contact zone, it was insecure, forcing social groupings into larger associations (see: Atkinson, 1999, 2010:138-139).

Ronald R. Atkinson's (1994:97-102; 2010:138; 1978:123) *"The Roots of Acholi Ethnicity"* (1994) and his other earlier study: "*A History of Western Acholi of Uganda, 1672 to 1900: A study in the utilization of oral data*" identified five tribes as core within the three social groups. These were *Moru, Madi, Teso*, the *Karimojong (Ateker*) and the *Luo*. The *Moru* and *Madi* tribes are the Eastern Central Sudanic speakers. Historically, they occupied and dominated three of the eight major political zones in Acholiland. These three zones were the western, the north western and the north-central political zones, which constitute the three local government administrations of Amuru, Nwoya and Kitgum districts. On the other hand, the *Ateker* were the Eastern Nilotic. They entered the present Acholiland from the east with the majority of them settling in eastern Acholi (Odoi, 2010:6). They occupied three zones, namely, the north-eastern, the east-central and south-central zones, which have Pader, Lamwo and Agago Local Government Administrations.

The Central Luo on the other hand, were the Western Nilotic. According to Atkinson (2010), they came much later into the present Acholiland. The Paluo or the people of *Luo*, he asserts, was the branch of the *Luo* who actually entered Acholiland from the south. Atkinson (1999, 2010) reckons that Luo played an insignificant role in the development of the Acholi identity, a viewpoint that Okello-Pacoto (2012) has recently contested. According to Okello-Pacoto, the *Luo* entered Acholiland from both the south and the north. From the north, they settled in the current districts of Agago, Pader and Kitgum. Conversely, the Central *Luo* might have occupied, in addition, the south-central and the central zones, which are the current districts of Nwoya and Gulu. The dominant *kaka* that can claim a direct link to the Central *Luo,* it seems, are the Patiko, Pajule, Koch, Alero and Payiira.

Atkinson maintains that by the end of the sixteenth century, these societies had already evolved into semi-centralised political organisations (Atkinson, 2010:21). For instance, they had leaders, *ludito kaka,* of different power bases as status leaders. In addition, they were practicing social norms that included entitlements and entrustments, symbolised by rites and rituals – mediated by institutions of social rules and contracts and social obligations that were both materially and non-materially reinforced. Some of these included *tyer*

or gift giving, communal hunting[137] and intermarriages (Mamdani, 1999:21; Okec, 1953). I discuss these social-political organisations in Chapter Four.

Sometime around the 1840s, however, the first set of external traders who spoke Arab and Ethiopian languages arrived in Acholiland (Girling, 1960: 128; Uma-Owiny, 2012:2-7). The *Kutoria* (1840s to 1872) and the *Jaidiya* (1872 to 1888) were official representatives of the Khedive of Egypt. These outsiders envisioned the creation of what in the modern world are industrial parks, for trading in ivory, cattle and slaves (Atkinson, 2010:267). They used cattle and firearms as media for exchange. Cattle were initially used in exchange for labour, paying *rwodi* for providing labour for transporting ivory to Khartoum in the north and Mombasa in the east (Girling, 1960: 129-132). By the 1850s, trade in ivory had significantly grown in volume and competitiveness and slave trade also became a complementary enterprise.

Foreign firms converged for trade in Acholiland from Khartoum in the north and from the Indian Ocean in the south. The Acholi belt, asserts Mamdani (1992), became the largest supply of human trade and the antithesis of what began as a fair trade in only ivory. The Arabs who traded in Acholiland had a history of immoral trade and unfairness[138]. They were greedy, relied on firepower, and exploited the existence of local rivalries among competing *kaka* in Acholi, thereby fusing trade in ivory and slave with robbery (Finnström, 2008:33). They constructed satellite-trading centres all over Acholiland, which also served as centres for torture. By demarcating trading areas into contract zones, it seems, these private traders facilitated unknowingly the consolidation of local politics and dialects that had begun to form by the 1720s (see: Atkinson, 2010: 265-270). In other words, the slave trade regime in some ways supported the definition of categories within the community-in-place.

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[137] "*Tyer*" is an Acholi word for sacrifice and is broadly used also for gifting especially to the "*rwodi*". It does hold some implications to the ranking of "*rwodi*" with the eponymous ancestors to whom most "*tyer*" were offered. The use of communal hunting grounds – the *ogwee* - a seasonal event was discussed with community elders in the Pabbo, Atiak and Amuru displacement camps in 2005 and 2006. Seasonal game hunting combines livelihoods, sports, and tourism, involving multi-ethnic groups.

[138] From October 2005 to August 2011, I lived Kapoeta in South Sudan and was able to get first hand information about how southern Sudanese were abducted and taken to the north as slaves.

The legacy of trade in slaves and ivory, and the history of the Arab speakers between 1840 and 1898 are well documented elsewhere (see: Medrad and Doyle, 2007; Webster and Onyango ku Odongo, 1972; Uma, 1971; Atkinson, 2010:265-270). Regrettably, most of these inhuman activities by the Arabs, which led to the mass displacement of the Acholi from 1862 to 1879 into Bunyoro - were occasioned under the British ambit as a partner to Khedive Ali, who was the ruler of Egypt (Girling, 1960: 132-150). Although the Brussels Act of 1890 implored Britain to take immediate action and stop the trade, this did not happen, probably because of a lack of infrastructure, capacity for immediate resolutions and the usual bureaucratic procedures that delayed implementation of colonial projects. Inevitably, by 1898, some fifty years thereafter, continued insurgencies by the Nubians or the Nubis through the promotion of *lweny kaka*, abductions and killings, continued in Acholiland.

The creation of the Acholi ethnic society

By 1898, there was arguably, some seventy or so *kaka* in the current Acholiland.[139] Some, like *kaka* Payiira, Pajule and Padibe, had evolved significantly into governing forms with powerful *rwodi moo* as their noticeable influence (see: Leys, 1962: 5-10; Atkinson, 2010: 137-144). The present Acholiland was enlisted as part of the Uganda Protectorate on June 30, 1896[140] following a number of military expeditions in the late 1890s led by decorated military men (See: Gertzel, 1974:57; Bere, 1947:8)[141]. The IBEAC and its partner, the CMS, and later the Roman Catholic Church (RCC), then proceeded to apply a foreign and military occupation of the Acholi - a practice, which Onek-Adyanga (2011) referred to as "external juridical and political control". By 1912, Gulu – now the regional town in Acholiland - became the new administrative

[139] There has been some contradiction in the figures that scholars have suggested for *kaka* by the turn of 1900 and I have discussed this in Chapter Four.

[140] There is contradicting information on when Acholiland actually became officially under the colonial authority. Scholars including Bere (1964) confirm that an administration for Northern Uganda was established in Gulu in 1910. However, the excursion by Major Delme-Radcliffe (Langa Langa) established military administration over Acholiland by signing treaties with "*Rwodi*" Acholi in 1898. JV Wild (1954:39), however, noted that Acholiland became part of the protectorate on June 30, 1896. It should also be noted that British operations in Northern Uganda were dictated by its interest in the area. Rather, it needed to establish its foothold on the Upper Nile in order to monitor its European rivals: the Belgians and the French over the Nile valley countries.

[141] Noticeably were Major MacDonald in 1898 and Major Delme-Radcliffe, 1899 to 1902

centre, taking over from Keyo and Nimule.

The colonial legacy in Acholiland, 1898 to 1962

The entire epoch of colonisation (1898 to 1962) was, in the words of Dwyer (1972:5), an "imperial relationship" characterised by hostile and foreign domination sustained by military democracy, which forcefully superimposed a formal tribal unit over social groups that lived in the area, introducing immense internal governing confusions. This development escalated, feeding inter and intra kinship rivalries within Acholiland, distorted traditional power structures and established a political identity that was institutionalised through despotic state agencies with alien manipulations and dominant values. The coercive system created a colonial form of political order that was maintained through police forces (e.g., Sathyamurthy, 1986:343; Mamdani, 1996; P'Ojok, 2007:5-6). Acholiland became a politicised modern grid of legal interpretation that was forcibly imposed upon a traditionally variegated, contextual and deeply local space with the view of controlling the new colonial community ring-fenced inside the territory.

Table 3.1: Some selected political events periodised from 1898 to 1962.

Periods	***Significant political events that Influenced local governance in Acholiland***
Initial colonial periods: 1898 to 1930	1. By 1888 the pacification of Acholiland by the IBEAC's military wing began. Key military officers: Major Macdonald (1888), Major Delme-Radcliffe (mid-1898 and others started establishment of authoritative political and social infrastructure for "modern rules" in Acholiland (Gertzel, 1974:57). Major Delme-Radcliffe secured control of the border post at Nimule as a new administrative centre. In 1899, he recruited back the militant Nubis as "modern administration" of Acholiland, a move that exacerbated the IBEAC's relationship with Rwot Awic of Payiira (Bere, 1947:8). Rwot Awic then became the British's pronounced "rebel leader", viewed by the system as anti-modernity (Wild, 1952)
	2. Rwot Awic was arrested in 1901 for one year, replaced and temporarily released in 1902 and re-instated as *rwot* Payiira in 1904. He was again re-arrested in 1912 and deported to Buganda. Rwot Awic, however, became the first elected *lawii rwodi* or a paramount chief of the Acholi and the chair of the Dawan Council of chiefs.
	3. From early 1900 until the 1930s, colonial authorities targeted changes in leadership code that did not conform to the Acholi's traditional succession to power (Girling, 1960:84; Gertzel, 1974:58) but it did not work in their favour. A policy to end Acholi's succession to power was decreed by Postlethwaite as District Commissioner in 1915 but all these were suspended in 1935 (Bere, 1947:8) or 1937 (Gertzel, 1974:58. This was further supported by the 1919, a Native Authority Ordinance formalised the powers of native chiefs with unlimited executive powers, legislative and judicial authorities (Mamdani, 1996:Chap 3).

	3. In 1906, Keyo became the new administrative centre for northern Uganda after Wadlai and Nimule respectively. It also housed the CMS, which settled there in 1904. The administration, however, moved to Gulu in 1910 and by 1912, Gulu had become the northern administrative town (Gertzel, 1947:8). The "modern administrators", the Nubis continued to enforce orders all over rural western Acholiland from here. By 1912/13, they also effected the compulsory dislocation of people in western Acholiland. These actions together with implementing violent disarmament raised considerable resistance in Acholi. Over 1000 Acholi men were trained by 1915 as new agents, and later in 1915 a new district, Chua in present Kitgum, was established, to gain grips of eastern Acholiland. (Postlethwaite, 1947:66)
Periods: 1931 to 1950	**Results** – The creation of authoritative structures with the view to extract tax and forced labour was increasingly being contested leading to broadening engagement of the people
	1. In 1931, Uganda census was carried and Acholi's population found to be only 4.4 per cent of the Uganda project. In 1937, Chua district was re-amalgamated with Gulu. The nine counties were renamed based on physical features, to delink them from ethnic contestations arising from the original *kaka* that formed them. In the same year, the Acholi Dawan Council (ADC) – which was a council of only *rwodi* was expanded to include nominees representing the Acholi people (Bere, 1947:8). And in 1938, displaced persons from Anaka, Nwoya, Alero began to return under controlled migration policy (Bere, 1947:8).
	2. By 1939, a Native Administrative Note was signed by Governor Sir Phillip Mitchell. It sought to broaden local engagement in local governance (Gertzel, 1994:17). However, by mid-1940s, ADC was establishment was only limited at the district level. The parish council – which replaced *kaka's* council of elders - only came in force in 1950 following the 1949 African LG Ordinance provision that had explained how district and parish councillors could be elected. According to the Ordinance, 6 colonial appointees – the county chiefs, local government officials, and senior *jagi* were ex-officio. In addition, the District Council nominated 8 members while the District Commissioner nominated 8 and 22 elected by the chiefdom heads (Gertzel, 1974:58). Parish and District Council elections only began in 1955.
Periods: 1951 to 1962	1. By 1953, the Uganda National Congress (UNC), a national political party was established in Acholiland in the present East Acholi sub-region mainly by.local traders. The party began to raise awareness on national issues, challenging local administration and the Acholi Local Government. The growth of nationalism began to open up Acholiland into the global discourse of governance
	2. By 1955, the African Local Government Ordinance abandoned the earlir provision for special chiefdoms' representations in the local council and it set for free election of representatives to started. This followed the African LG Ordinance of 1955
	3. In 1961 there were about 7,215 Acholi employed. This was the peak year. This dropped by about 1,500 in 1962 and in 1963 went up to 7,074. By and large, Acholi, which had 4.4% of the country population, had 7.2% of the African employed in Uganda (Leys, 1967:49).
	4. By 1962, Acholi had more secondary school per capita (4 instead of 3 in 1965) in Uganda, and the District Authority had assumed responsibility for primary education in Acholiland with 53% of the children of primary school age enrolled (Leys, 1967:52)

Source: Field Work, 2015

Essentially, colonial administrators decided to draw borders and labelled everyone inside the borders as the Acholi, regardless of whether or not they agreed. The colonialists used language and similarities in culture, including what was understood by them as kinship to redefine communal and ethnic boundaries when creating the Acholi (Amone, 2014: 8-11). As a consequence, Girling (1960) submits that the British had difficulties in convincing the Acholi that they were indeed the Acholi - and not members of the different *gangi* they belonged to (Girling, 1960:9). Truly, these scholars did not deny that social interactions never existed among these social groups prior to this legal construction of boundaries.

Rather, they maintain that Acholiland was a home of many clan groups or tribes prior to when colonialists labelled all of them the Acholi (see: P'Bitek, 1970 cited from Finnström, 2008: and Crazzolara, 1954: Chapter 1).

Since the fundamentals for indirect rule - the administrative class and the hierarchal organisations – were lacking in the Acholi *macon's* architecture, it had to be established to enable the implementation of rules. In other words, "indirect rule" was a formalised despotism that contracted local systems to deliver on their "immoral" missions – to tax local incomes and invest to sustain the interest of the colonialists (Branch, 2011:49). However, the implications of the "indirect rule" for the tribal setting in Acholiland had to take a different context because of the existing social-political arrangements[142].

The first step was to create and superimpose new and parallel administrative arrangements to implement the colonial mandates. This new outfit set to push out the *kaka* model of governance in some specific areas of community governance – the governing contents and methodologies as discussed in detail later. The new governing model, both the chiefdoms, in the 1890s and early 1990, and Local Government – thereafter, did not replace *kaka* but reshuffled its functions. Since chiefdoms and Local Governments were predatory, despotic and centralised systems for the extraction of taxes and free labour, they allowed the *kaka* system to flourish, offering the moral aspects of governance.

The chiefdom-cum-local government had two characters, adopted from both the colonial and what Mamdani (1996:105) refers to as the traditional African governance system. On one hand, it had the Buganda despotic and old setting that appealed to the British because of it autocracy, and missing in the *kaka* model. This particular aspect was made ethical by domesticating selected parameters of Acholi traditions – the leadership and the content of the customs; to right size its punitive contents to model the Acholi as a modern community. This was disseminated through the administrative class, initially dominated by the Nubis, into the rural society in parallel with the traditional system. The outcome of this was a hybrid product of customary laws that significantly departed from the contents of what embraced the *kaka* – which I have referred to as traditional. I have referred to this hybrid system as Local Government. The latter combined

[142] For similar trajectory elsewhere, refer to Iliffe, 1979

what Fukuyama (2013) referred to as the bureaucratic branch of the state but also the "toothless" Local Council, handpicked at the beginning by the bureaucrats (see for example: Gertzel, 1947:17).

Then, there was the colonial or civil dimension, the District Commissioner - that fitted Francis Fukuyama's (2013:356) definition of the political principal. It was a white man who manned it, probably to avoid what was seen as a conflict of interest when insiders are given the role (see: Hyden, 2006: Location 2294). He supervised and appointed the chiefs and their analogues. The new "chiefs" in the case of Acholiland were, in most cases, not *rwodi* – who were the traditional leaders (see: Bere, 1947). However, they were locals, selected with the help of the Churches to govern the community on behalf of the District Commissioners.

So, at the Acholi community level, the reform had two formal pillars. It fused some aspects of Acholi custom with the Buganda, to create a formal "African version" of despotic power base as a hybrid, set to implement a new Acholi custom that was specific to the Acholi society (Mamdani, 2002: 2). This new custom is what became the popular customary law (see: Mamdani, 2014: Locations 7-25 to 25-44). In this new establishment, the British "imagined proper African chiefs" would emerge and "help raise the particular savage Acholi up the civilisation ladder toward the model of the Baganda." (Branch, 2011:48). In other words, these chieftaincies and the state represented by the District Commissioner formed a bifurcation of local authority that was external to the Acholi[143]. However, unlike in Buganda or in the kingdoms, there was a more pronounced traditional power-base that dominated the rural areas, the *kaka*. Acholiland became a "trifurcated system" with the formal elements as foreign despotism, constituting the civil powers. The third element was the *kaka* model with its functions reshuffled. It was the latter that the British found inadequate for the despotic role of the new local governance but was also the one that featured a strong political force in the mobilisation of the community (Branch, 2011: 46-48).

[143] In the later Chapters, I argued that the case of Acholi was an outsourced indirect rule because there were no forms of local structures in Acholi that befitted indirect rules. As such a trifurcation of authority emerged, dominated by the British system at the apex and the Buganda model in the centres while the Acholi tradition in the rural.

In recognising the tripartite realm of governance, the 1939 *Native Administration: Note* by Governor Sir Philip Mitchell allowed the incorporation of *rwodi moo* as representatives of the "segmentary people" in the District Council, who were tribal authorities that also included some other appointed Acholi petty bourgeoisies (Girling, 1960:84; Gertzel, 1974:17). This council could not, however, limit the authority of the appointed chiefs who were, therefore, a different tier of governance.

The reform of local governance that came with colonial rule was a painful one. It displaced social groups, imposed new and foreign leaders and created foreign structures that were more despotic (Uma-Owiny (2013: 45-120).[144] It introduced new and autocratic male-based local chiefs instead of using existing and charismatic *rwodi moo* and *ludito kaka*. These chiefs were not part of the traditional leadership realm in the Acholi clan systems. Additionally, their appointments were neither sanctioned nor were the locals consulted (See: Branch, 2011:47). Importantly, most of these local chiefs had no prior knowledge of governing the people. Nevertheless, they were given wide-ranging powers under the new regime (Sathymurthy, 1986:343). Having created a model that befits what was imagined as proper for African chiefs, the chiefs who later became known as *rwodi kalam*, that is, "chiefs of pens" rather than "real Acholi *rwodi*" set to establish order as envisioned by their supervisors.

These chiefs had no remorse for the people. They came from different clans and in most instances many had their background as the *lubong*, and were posted to areas far away from their own, and sometimes-enemy clans (Girling, 1960: 9; Uma-Owiny, 2013:Chapter 7). They were engaged in what was culturally immoral, that is, enforcing the production of cotton (*awara*), collection of taxes for foreign regimes and administering forced labour, as directed by the District Commissioners in the community (Dwyer, 1972:132-206; p'Ojok, 2007: 3-9; Branch, 2011: Chapter 2). This caused spiralling violence, especially where these chiefs overstepped their authorities. Some of the noticeable and collective resistances include the Lamogi rebellion of 1911/12 and the Parabongo revolt of

[144] Uma-Owiny's "History Repeats Itself (2013)" enumerated how changes in the territorial arrangements in the entire Acholi were handled during colonial restructuring, 1902 to 1936.

1912 (Major Delme-Radcliffe (1905:482)[145]. This violence against the institutions became a trademark of the colonial system as it set to govern a new people based on a new system. Since the traditional system was not formally delegitimised by the new state system, Acholiland became a pluralistic system, making selective choices based on the efficacies of the formal and informal systems. It also became a new tribal component of the Uganda state as imagined by colonialism.

Post-colonial era tribal identity, 1962 to 2010

The subsequent postcolonial regimes, from 1962 to 2010, merely fortified the colonial reform in community governance, further delineating community groups geographically to ensure control and exploitation (Dwyer, 1972:130-144). From 1962 to 1985, the northern tribes dominated state leadership in Uganda with Apollo Milton Obote, from Lango (1962 to 1971, and 1980 to 1985), Idi Amin, a Kakwa Field Marshal, from 1971 to 1979 and Tito Okello-Lutwa, an Acholi General, from July 1985 to January 1986. The Acholi noticeable contributions during particularly the Obote I regime were in civil service, agriculture and in national politics. However, the Idi Amin military regime and especially the NRM that came in force on January 1986 and is still in power changed both the content and context of Acholi's future roles in Uganda state.

The years 1962 to 1971 also show the Acholi as a political community mending its traditional conflicts with the Langi ethnic group, where Obote came from. Indeed, as Branch (2011:53-55) observed, Obote's early regime propelled significant regional political division around the question of equity and national governance and this provided a common platform for most of the districts outside Buganda kingdom - which had initially joined Uganda state as unequal. This particular aspect appealed to Acholi politicians, but Obote also made other positive changes, building on the historical context of the Acholi pre- and colonial experiences.

Foremost, he inspired the prospects for equity in governance, something that appealed to most Acholi and showed opportunities for making Local Governments morally functional in the line of *kaka*, in search of equitable

[145] Major Delme-Radcliffe who came to Acholiland in 1898 and became of one the well-known and feared leading pacifiers of the Acholi wrote extensively about the Lamogi rebellion.

governance rather than the exploitation that had happened since the nineteenth century. He, therefore, galvanised greater hope than the Democratic Party, which, although was dominant and rooted in the Catholic Church in Acholi, was still seen as a Baganda political outfit.[146] But Obote, like President Museveni, was a political warrior of a different kind - something that typically resonates with leadership traits in fragile situations. Again, Branch covered most aspects of these in his work (Branch, 2011:53-56).

In tandem with its *kaka* philosophy, the Acholi, divided in their support for Obote mainly because of religion, elevated his rule, which was further consolidated in his second term, from 1980 to 1985. Remarkably, the Acholi respondents acknowledged that Obote I era was the Acholi epitome of glory. Interestingly, while Branch (2011:56-58) and Rubongoya (2007:39) see Obote's failure in reforming the tribalised local state, for the Acholi, a tribalised state had resolved the micro-level ethnic divisions that were perpetuated by the slave traders.

As some scholars have maintained, the Acholi people of different social groups lived as neighbours, knew each other and shared with each other many common customs prior to the coming of the British (see: Bere, 1947:4,6; Driberg, 1932:411-416). Whitmore (2013: 41) for instance, relying on works of earlier scholars like Atkinson (1994:49) affirms that the Acholi were a collective even before colonialism except for a lack of a common name, Acholi. However, both the *Kutoria* and the *Jadiya* slave traders exploited the rivalries that existed among these various social groups and it was only during the colonial regime that a common identity was imposed on them beyond the violence that existed.

Hence, a tribalised Acholi was established from a group of nations - the *kaka* that had to forge additional new and binding common interests in the evolving global and national politics. One such interest was a new political identity that demanded paramouncy at the new Acholi political level, which the British instituted in 1950s. In fact, this is an example of hierarchal interventions in reforms in a fragile situation, which can reinforce the desire for change when approached from a moral context. Thus, Obote's targeted reform of the central

[146] Interview held with Charles Alai (RIP) in Gulu, Roma Hotel in April 2008 and on phone with Anywar Kwamogi based in New York on March 2008. Both of them were young men at the time.

state apparatus, if anything, made perfect sense for the Acholi, where the *kaka* design was still visible and only rationalisation and harmonisation of the earlier reform was needed in the local government (see: Leys, 1967:24).[147]

In doing so, he created political patronage that was not completely embraced in Acholi, as was demonstrated by the results of the national parliamentary elections.[148] He worked with the new team of kinetic political leaders from Acholiland in forming a new post-independent political elite that became a new image of the Acholi in the national arena. Technically, Acholiland had four tiers of leaders, which maintained separate decision levels: (i) those political and technical elites that represented it at the state level – the *lugwok paco*, (ii) those in the district politics - in the local councils, (iii) those in the civil service at the local or tribal levels, including the chiefs, and (iv) the traditional leaders, the *ludito kaka*. Most of these were men.

Amin's Uganda, 1971 to 1979

Idi Amin and Museveni's regimes in total ruled for thirty- four years until 2010 and are rated differently. First, both regimes rekindled the militarisation of tribes and therefore tribal divisions. In doing so, they both ejected the Acholi from soldiering, something that they had specialised in largely as an alternative means for livelihood (see: Pain, 1998: 7-11). The two regimes also clearly alienated the Acholi from the centre, affecting the ethnic dimension of governance. Both regimes are also remembered for social torture in Acholi, by sealing off the entire territory from journalists and media, and combing entire villages to root out what they felt were "enemies of the state".

Amin's army, according to respondents, was reminiscent of the Nubians troops. They knew the Acholi villages as some had lived there before, and they plundered Acholi intensely from day one, starting with the killing of its core middle class in the army and the civil service (Pain, 1998:10-15; Kasozi, 1989; Branch, 2011: 56-58). While in the early years of his rule, Amin worked with Local Government chiefs who were well established during Obote I era, he turned

[147] Leys (1967) notes that in the early 1960s, the idea of reviving the traditional system was considered by the District Local Council but, somehow, were dropped.

[148] Of the four constituencies in Acholi in 1962, Obote's UPC won only 1 while the 3 were taken by the Democratic Party

against them, particularly from 1973 to 1979. They were either killed or had to flee, and their assets confiscated.

Both Amin and Museveni during their first periods of rule in Acholi depended on members of the Democratic Party in order to gain local confidence. By 1979, when Amin was overthrown, virtually the entire Acholi was empty of *lutela* as most were either killed or fled into exile (e.g., Kasozi, 1994:121). Poverty had also deepened as both agriculture and civil services were no longer in the domains of the Acholi. The economic war that Amin declared against foreigners provided benefits for local Ugandans and especially the Muslim, but not Acholi. First, there was no such Muslim class in Acholi except for the Nubians and migrants from other parts of the world. Secondly, the Acholi were classified by the state as enemy of the state (Kasozi, 1994:121).

Qualitatively, Amin left Acholiland without much in terms of its political image as its local institutions and leaders were eroded and there were visible gaps, both locally and nationally. When the combined forces of the Tanzanian and UNLF/A reached Acholi, the majority of leaders were what the Acholi would term the *mak ayang* - those who had survived Amin because they were either spineless or traitors. Certainly, there were many leaders who, of course, following the eight years of military oppression had to adjust by trading off some of the virtues of "normal leaders" in the eyes of an Acholi. Most educated Acholi decided to remain in the diaspora, where their families were already established.

In summary, the narratives in Table 3.2 below, gives the results of governance since 1962 to 1985, providing baseline data for the focus on the NRM government, which had indicated that its coming to power was a "fundamental change". It lays out the fact that especially from 1971, Acholi's political, economic and social bases were deteriorating.

Museveni's Uganda, 1986 to 2010

Museveni found Acholi in a very sorry state. The five years or so of Obote II had not done much in terms of human development or even recovery from the eight years of Amin's torture and killings. Obote II era made the same mistake of the 1960s by creating a national army that became the niche for the Acholi youth - a mistake that further deepened the division between the northerners as a group, and the southerners (Pain, 1998:12).

Table 3.2: Summarising Acholiland after 1962 and prior to the 1986

Era	Significant Political Events Relating to the Acholiland
Obote I: 1962 to 1971	By 1962, Acholi's population was 340,000, which was 4.4 per cent of Uganda total population. More Acholi [7.2% of the African employed in Uganda] were employed than any other tribes and in public sector, where its number was only second to Buganda (Leys, 1967:49). Its LG was one of the strongest and with good services. Acholi had more secondary schools per capita (4 instead of 3 in 1965) in Uganda, and the District Authority had assumed responsibility for primary education in Acholiland with 53% of the children of primary school age enrolled (Leys, 1967:52). It contributed 12 of the required 36 administrative officers at independence (Onyango Odongo, 2009).
	Its economy was predominantly labour base, with smallholder farmers dominating the list of private investors although with restricted but functioning access to markets. There was no industrialisation and supportive infrastructure at all, save for the Uganda Railways and Gulu airport. By 1963 only 445 private traders existed and some 7,074 civil servants and while the rest of the population were cattle herders and agriculturalists of small-scale levels (see: Mamdani, 1967:2008-2009). The entire Acholi economy was sustained by remittance mainly from civil servants and especially the army and the police, where it was leading in the numbers of recruits (Pain, 1998; Omara-Otunnu, 1987:51)
Pax Aminca: 1971-79	The 1971 *coup'detat* by Idi Amin came at the time when the Acholi identity had been fully reified and essentialised along with other political traits that redefined them as a category in Uganda (see: Branch, 2011:48-50). Obote I attempted to establish tribal equality in Uganda, to avoid the marginalisation of the non-kingdom districts. In doing so, he stimulated the different and divided Acholi entities of the 1950s to firmly embrace tribal unit and thereby, deregulated to a large extent, the perennial internal political disagreements within the Acholi elites that were partly linked to religion. This created a social base that later became the basis of resistance to Idi Amin regime.
	By 1973, Amin had consolidated the army base in the north without the Acholi; reshuffled Obote's social bases among the Acholi in a similar manner as the colonialists did in the 1900s. He decimated public and most of the UPC functionaries and *rwodi moo*, replacing most of them with his military hoodlums (Omara Otunnu, 1987:104, 133-137). The entire period of his regime, which ended in 1979, manifested social tortures; arrests and he decimated prominent leaders from Acholi, reversing most of the gains accumulated in economic, physical, and human and social services since the 1950s through to 1971 (see: Mutibwa, 1992:188).
1979- 1986	By 1979, Acholi's internal order had collapsed and its ability to connect with the state destroyed. Most of its capable and educated elites were either decimated and/or had been forced into exile. Both the UNLF (1979 to 1980) and the Obote II (1980 to 1985) merely created a loll in looming external assaults on the Acholi's political and territorial space. These periods also raised unnecessary political expectations, and for similar reasons as in the 1950s, led many Acholi youth into the national military services and with devastating consequences to national social capital accumulation and poverty. In 1985-6, Tito Okello regime bridged the Acholi society with the dominant Madi and Lugbara tribes in West Nile, thereby subdued the inevitable revenge envisioned from the people on the capture of power by NRM (See also: Branch, 2011).

Source: Field data, 2015

Andrew Mwenda, who was an outspoken political critic and journalist, contends that the logic behind the NRM portrayal of Acholi as a bad group was tactical and had long-term implications. The NRM intention for regime longevity was achieved by riding on the ethnic dimensions, while early political parties were aligned to religion:

"Museveni used the war in Luwero in an attempt to realign Uganda's politics from religion towards ethnicity. The prolonged war against the LRA reflects how Museveni defined the nature of the challenge he faced from Joseph Kony. Although LRA does not represent the popular feelings of the political leaders from Acholi or the feelings of ordinary people, Museveni defined it so. Museveni saw not just the LRA, but also the Acholi as a whole as the enemy; LRA was only the armed wing of the resistance. To get the south behind him, he sought to undermine the national platform UPC and DP had built. He presented the military brutality of the UNLA as an Acholi assault on Baganda thereby casting political rivalry in ethnic terms. This has had powerful implications." **Andrew Mwenda, April 24, 2010**[149]

There is a lot of writing regarding the politics of ethnicity in Uganda[150]. The original motive of the NRM, we were told, was to change this politics of a divided Uganda[151]. As such, its change of guard was at first interpreted as a "fundamental change" because its leaders proclaimed that they would solve this governing cancer in Uganda. By 2010, the NRM carders were eating back their earlier proclamations because, if anything, it demonstrated that a true Uganda politics of survival is ingrained in ethnicity (see for instance: Mwenda, 2010:1-13.). Similarly, Dolan (2010: 219-252) and Whitmore (2010) divulged some of these mind-boggling expositions on ethnicity by the NRM in its relationship with the Acholi. In their exposition, the war that ravaged the north was methodical, meant to deal significant effects on the northern tribes. Some of the effects include a higher than usual concentration of the poor in Acholiland as a political community. Recent analysis by the Oxford Economics (2014) suggests that more than eleven per cent GDP growth rate per annum for twenty-five consecutive years is what is needed in northern Uganda, for it to fall within the Uganda Vision 2040 projection. This is something that is unattainable based on the history of governing action we have seen thus far under the NRM since 1986 (Oxford Economics, 2014: 1-20).

From 1986 to 1991, the NRM established the Resistance Councillors (RCs) at village, parish, county and district levels as an innovation[152]. This created a new system and a parallel structure to the existing Local Government structures. Unfortunately, these structures never worked in Acholi as people

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[149] This can be found at "andremwendasblog.blogspot.dk"

[150] For example Adam Branch (2011) covers substantially the question of ethnic divides in Uganda and how the Acholi since colonialism, has been aligned too different parameters.

[151] More about this can be found in the book by President Museveni, 1997

[152] For the chronology of the civil war in Acholiland and the trends of human displacement, refer to Lamwaka, C. (2002).

were living under displacement in camps, where new structures were established by GHROs (see: Messier, 2012: 4-12). The 1997 Local Government Statute changed RCs to Local Councils (LCs), maintained at the same levels. The LC Act 1997 has been reviewed annually, to benefit from practices on the ground. Unfortunately, the reviews, according to reports, have focused mainly on concerns of service delivery systems and financial accountability, but less on political governance (Ojambo, 2012:2-7). Relevant as they are, they are inadequately reflecting the diversities in the use of the instrument. Many think that donors have high jacked the process, limiting the scope to merely working on what matters most for their parliaments, which is how the money have been spent – not so much on how the people benefited from the funds (Missier, 2012:1-12).

Besides that, the Acholi have experiences that are not integrated in the Local Government Development instrument. Displacement started as early as 1986 and most of these were voluntarily. Following the ultimatum for the people to leave their homes in 2002, the RCs and the LCs systems had no ground for successful trials in spite of the fact that it resonated with what I consider the traditional system (Missier, 2012:3-5). First, it sought to give leadership to active people based on their personalities and capabilities, something that was ingrained in the *kaka* system of governance. It was, therefore, considered apolitical, initially voluntary for service-oriented governance. In fact *kaka* like the LCs systems were a non-partisan and broad-based form of political movement that fuse multiplicities of opposing actors. Secondly, the NRM system was bottom-up, seeking to inform the top about what make sense for community governance. This too, was the case with *kaka*.

Instead, in 1997, camp administration was imposed on the displaced people by a new and an emergency Committee – the Disaster Management Committee. During the LRA war, which official began in 1988, Acholiland was rightly described as a limited statehood with donors and their funded CSOs and networks of global NGOs leading governance in the displaced people's camps (Missier, 2012:4-5, Dolan, 2011:178-184). At the Local Government level, the donors largely managed the Disaster Management Committee. It had Local Government representatives and the donor-funded Civil Societies as members. In the camps, they introduced new structures for their humanitarian interventions and the LCs, who had just been installed following the 1996 general elections

together with the "traditional system", went on recess (Missier, 2012:1-18). In some instances, however, some members of the LCs were elected as part of the Committee or as camp administrators.

Acholi's Structural Dimension of Interactions

The structural dimensions of interactions are the non-territorial aspect of the Acholi: the cultures, physical materials, such as natural resources, and power conditions, of a given society. I have contextualised them herein below as (i) physical and natural features, and (ii) social structures and cultures of the Acholi of Uganda.

Physical and natural features

Earlier studies, including by Atkinson (1999, 2010) commented about the sporadic environmental extremes in Acholiland[153]. They made reference to the oral history of severe droughts, heat waves and dust storms during *ooro* or dry seasons (Oloya *at al.,* 1998). These pervasive aspects of the climate were seasonal events and historically, have been more devastating in the eastern part of Acholiland. Additionally, in the wet seasons or *cwii*, there were invasions by plagues of insects, worms and grasshoppers, especially experienced during what I have referred to as Acholi *macon*[154]. These latter events, however, significantly declined during the 1970s and 1980s, according to oral sources, mainly by the attentions given to them by the central government[155].

Explicit in these conditions were the devastating famine and droughts - like those in the 1937/8, 1966/7 and as recently as 1979/80 that resulted in death of people and livestock; and the violent conflicts with the neighbouring Karimojong over pasture and water. However, implicitly, disasters built characters in the Acholi people. Leys (1972), who was a colonial administrator in Acholiland admitted that the Acholi men and women were a resilient society as hardship had instilled survival innovations in their customs. For instance, the

[153] Colin Leys (1967) made a distinct contribution to sufferings in Acholiland and noted that it enhanced the resilience of Acholi men and prepared them for the complex environment they lived in.

[154] Some of this information was generated in 1997/8 as part of the Oxfam-UK project design studies carried in eastern Acholi landscape in which I participated.

[155] This verification came out from most groups and individual discussions during the research.

droughts of the 1938/39 as well as in the 1966/67 and 1979/80 coincided with heavy recruitment of the youth into the national army. Records showed that these offered the youth alternative livelihood opportunities (see: Pain, 1998).

Gertzel (1974) and Pain (1998) noted that the 1936/37 hazards enticed some sixty per cent of the youth from Acholiland to consider joining the national army. The majority of these youth were from the most affected eastern Acholiland, who saw the opportunity as alternative source of livelihoods. Understandably, all households had lost the entire harvests to heat waves and droughts during the periods (Gertzel, 1974). The rapid consociation of the *gangi* agnates that began as early as the 1720s, were implicitly caused by these hardships as "the necessary conditions" for change (See: Atkinson, 1999, 2010). The formation of *kaka* as governing organisations became a grand attempt to form collective efforts to address these forms of extremities.

Acholi also had restricted economic base as it depended largely on livestock and crop production - with low level of material life. Food production has been based on rudimental technologies (Atkinson, 1999, 2010: 46-61). This trend has continued up to date, as there has been no extraordinary attempt by all postcolonial regimes to inject positive change in its livelihoods[156]. Typically, the majority of the Acholi households are smallholder farmers, faced with daunting ineffectiveness of the public sector support. Accordingly, from 1986 to 2006, most of them were classified as vulnerable since they were easily affected by any sudden shift in the normal structural arrangements (See for instance: Burton, 1974).

As such, there emerged a practice of *caka*, the practice of soliciting food aid from relatives and neighbours mostly by weaker households. Hardship also constructed the art of exchange among households. From historical profile and time trends developed in 1997/8, loaning of foodstuff for instance were common during the months of May and June[157]. Conversely, hardship triggered

[156] Most administrators of Acholi origin contend that no state government has ever attempted to address the unique situations prevalent in northern Uganda as a special governing action. This might, however, be questionable when one views the PRDP framework of the NRM government as an additional support for the north.

[157] This information was collected from Mzee Tebere (80 years), who grew up into a respected and industrious man after living with a disabled mother who spent her entire life practicing *caka*. The Acholi call May as *mayi,* from the Acholi word

population movements and migrations particularly from vulnerable households in search of fertile land and water for livelihood security. The practice of *caka* or food trekking was complemented in the 1950s with wild fruit from forests. Evidently, while this has substantially declined following acknowledged agricultural extension practices in the 1960s and 1970s, it still exists in some remote areas. However, the aftermath of the camp life that officially began in 2006, has rekindled this traumatic event, as food security has become a nightmare[158].

A summary of these hazardous events particularly in the colonial and early post-colonial eras, have been developed together with the respondents and is appended in Annex 1.3. The trends and incidences of these events have continued albeit. As recent as 2007, Acholiland was hit in the months of July to November by floods, which destroyed bridges, properties and spiralled the spread of communicable diseases (Oxfam-GB, 2008). And from 1998, communities in Acholiland noticed the emergence of what became known as "nodding disease syndrome", a disease that government only officially detected in 2009. More than 5,000 children were affected and continue to battle the disease, whose cause and mode of spread remain a mystery, while over 200 children succumbed to the debilitating disease (see: Mackenzie, 2012:1-13). The "nodding disease", the Ebola and many other incidences of hazards have been reported especially during camp and as the aftermath of camp life. These hazardous events, according to Oxfam-GB are likely going to reoccur in the future (Oxfam-GB, 2008).

The eminent effects of climate change will most likely help precipitate most of these harmful events. According to Oxfam-GB, the trend of the climate in Acholiland indicates that the nature of rainfalls will remain erratic during the onset as well as during the cessation. However, when it rains, it will be more violent and heavier than in the past. There is also a temperature increase of about one

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mayo – which is literally to remove or extract, signifying it as a period that manifested absence of food.

[158] As part of my research work in the 2008, I discussed in three locations: Pakiri, Amii Lobo and in Pawel key pressing issues faced by those who had returned to their homes. In Pawel, I met groups of youth along the roadside, in a trading center, as I drove from Juba, South Sudan. I bought roasted maize from them and engaged them on what were their key concerns as they were returning home. In all these three cases, food insecurity was key as they were trying to recuperate smallholding, which had degenerated into "caka" while in the camps.

degree Celsius per year since 2006. The effect of climate and nature has been further discussed in Chapter Seven.

The Acholi social structures and cultures

The Acholi structural dimensions of interactions are embedded in the social structures, that is, the *dog odi, dog paco, dog gangi* and the *kaka* – which represented the convergence of patrilineal legitimacies. These structures as we will see later, mediated social-political interactions with the different actors and agencies both internal but also external to the entire Acholi system. Scholars like Giddens (1984) see these structures as both enabling and constraining – and therefore, important in explaining the conflict potentiality of any society.

Girling's (1960) anthropological narratives of the social-political organisation of the people, who later became known as the Acholi, covered the period 1860 to 1950. Unsurprisingly, he confirmed that by 1951 Acholiland had transformed from a traditional system into a cross-modern one. He noted that *kaka* as the "tradition" social-political organisation was by 1951 reshuffled by a new "customary" model of governance, the Acholi Local Government that defined the "modern Acholi system" under colonialism.

Girling (1960), however, maintained that even with such drastic transformation, there was still a deep- rooted sense of equality among the people that made up the new Acholi polity (Girling, 1960:2). The social structures that emerged in the 1950s still exhibited a combination of "right-based" morality with a dominating kinship-based fiduciary culture that was a dominant feature of the *gangi* agnates as governing polities.

> **"The relative homogeneity of the [Acholi] social order, the absence of wide economic class difference, the self-sufficiency of the economy, all these factors make it possible to limit the number of factors which distinguish between individuals socially to those I have listed." (Girling, 1960:28).**

Both colonial and postcolonial ethnographers concur that even with this marked homogeneity, Acholiland was a mixed and diverse society (see: Girling, 1960:165; Hansen and Twaddle, 1994:2; Odoi, 2010). The original structures of the 1898 had more than one type of political organisations, which featured strong facultative mutualisms as a bridging culture between the various apex organisations and variegated fiduciary cultures associated with kinship levels

(see: Dwyer, 1972:28-33). In fact Acholi, an Acholi elder, *Mzee* Tiberio Okeny-Atwoma asserts that Acholi was a family of different "tribes" that became a nation by blending kinship, kith-ship and consent in a process that "elicited" shared expectations and societal values.[159] It was these diverse social groups – the *gangi* agnates - that determined in the beginning, the conflict culture or society's attitudes, beliefs, identity, and values as well as access to power (e.g., Gurr, 2000; Narayan, 1999:1).

For instance, whereas Genghis Khan and Alexander the Great created empires through violence (Kooiman, 2003: 46,62,219), the *Rwodi* Acholi of the nineteenth century built up *kaka* through kinship and contests, concentrating on internal reconfiguration rather than expansive adventures (Dwyer, 1972:33-36). These early societal set-ups were evolutionary, and they epitomised strong patriarchal and kinship ties or entrustments – which I have referred to as tradition - within *dye-kal* and *gangi* governing entities. However, these have been substituted by the "customary laws", which were the imposition of the outsiders. Arguably, these changes have altered the meanings of traditions, as further elucidated on in the later Chapters.

From series of existing writings on these structures, combined with the memories of those living today - and together evidence from folk songs, poems and reflectivity, three important conclusions can be deduced from these traditional governing practices: Firstly the fiduciary cultures of these homologous organisations influenced the type of governing interactions. This established the conditions and value systems that mediated the varying responses of the actors to the different intentional dimensions of interactions, political contexts, and events.[160] For instance, social-political elites, the *ludito* occupying similar power orbits, contended and established their own balances of collective, interactive powers, through an interactive interference and interplay. Evidence of these

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[159] This is an extract of a semi-structured interview with Mzee Tiberio Okeny-Atwoma in October 2007. Mzee Okeny-Atwoma was an Acholi elder, a member of the first Acholi District Council, 1945 and a political leader. He acknowledged that the process of soliciting consensus engaged facilitative processes of guiding, particularly the weaker agnates, into visioning collective responsibilities. *Latela,* an Acholi word for a leader, means both "bringing along" and "leading" the way.

[160] Most material used for this discussion came from my own views, which were validated by respondents during the various interviews and discussions held from 1998 to 2010. It also built on some earlier assertions by scholars like Crazollara (1950, 1951, 1953; Finnstrom, 2008; Adams, 2006, 2010)

historical practices can be deduced from riddles and folk stories that explain relationships and also from reported practices in governance between the different systems.

Secondly, the authoritative interactions aimed at enforcing political legitimacy, normally derived from the social norms or *cik acoli,* are often sanctioned by recognised systems and authorities. This facilitated the balance of power by petitioning the sources of legitimacy, relying on elders as peer groups that were the library of indigenous wisdom and therefore, sources of social authorities. This also engaged private service providers, the *ajwagi*, who were fortune-tellers – in validating the customs of *lapii* or *casus belli*.

Thirdly the coercive or interventionist's interactions - where certain categories of members like the children and the youth, but also, occasionally the women, were directed - arguably through a practice that evoked the principle of "separation of roles". Although some of these governing directives were intentionally structured to enforce patrilineal bureaucracies and as such, were culturally biased, they conformed to the distributive power of culture. Cases of coercive governing actions that we reflected on during focus groups' discussions included the socialisation of war captives, and women married into the agnate under the jury authority of the *won gang*

Often, these new entries - the putative kins, were not arguably forced into adopting the new habits since they came from distinct cultures with distinct beliefs. This, if it is true, was a sign of respected and custom, which recognised them as a distinct society[161]. For instance, women married into the clans who did not eat certain food types were disallowed from preparing the food and free not to eat it. Nevertheless, some people also remembered that through peer pressures, established precedents by other putative kin, and the need to integrate or the awkwardness of remaining detached, most putative kin would

[161] Testimonies that women married into different agnates would be allowed to return to their place of birth to resolve culturally specific issues are well known in Acholi. This is also true of children that grew up with in maternal villages. From practices as late as in the 1970s, patrilineal orientation in solving such problems existed among many clans in Acholiland.

give in to the majority practices in their villages[162]. This is the cultural submission that seems to have dominated the events.

The application of these governing interactions, however, varied and increasingly changed with time, particularly in the 1960s and onwards because of modern influences. In addition, where there was divergence of interests between the core or host agnates, and the smaller lineages within, there were always possibilities for socialisation by the more powerful partner or, as Girling (1960) observed, the disagreeing party would walk out of the relationship and join those that were comparable with their interests. However, with convergence in interests, governing interactions were largely informal, and structured along the rules of the game (Girling, 1960:125).

In supporting the diversities, dynamism and complexities of these mixed governing interactions sets of governing structures and relationships were expressed along two dimensions, with different consequences. The first of these dimensions was "disengagement", a condition in which mainly weaker participants, especially the smaller polities, improvised households, or the women, opted to stay detached or remained consciously distant from the governing activities. Then there was a "normative engagement" as a continuum - where the governing interactions were embracing, and the majority of the social-political actors were responsive, dynamic and consensual in their interactions, which was deemed as a good governing image (see: Bratton, 1994; Chazan, 1994; Landau, 2000).

The second dimension, however, was from "coercion", a relationship where force or threats were expended to ensure order and compliance - to "co-optation", where political governance typically adopted a compromising strategy of political favouritism that undermined formal and agreed structural processes. Coercion was used to subdue the powerless: women, children, and vulnerable captives, into relationships that favoured patrilineal focus.

Defining the cultural context of interactions

From the aforesaid, the Acholi cultural strata have oscillated over the years, as predominately and normatively patrilineal in orientations. However, in

[162] Women in Pagak and Awer camps in 2004 and 2005 respectively contributed to these views during discussion held with them.

these progressions, the cultural changes have exhibited what was locally right or legitimate at any given time.[163] When different aspects of Acholi's social-political customs are mapped onto Sorokin's (1984) three super-cultural systems, one gets some insight into not only the nature and the dynamism of the various social groups as cultures, but also into the historical movements over the years. Throughout its history, the Acholi culture, it seems, oscillated within what Sorokin's super-cultural systems describe as a mixed culture. This is one that combines some of the core features of all the four cultures namely: idealistic, ideational, sensate and mixed cultures (see: Sorokin, 1937/1941/1957/1985). Within the mixture, relations during Acholi *macon* were generally described as partly solitary, partly contractual, partly based on principles and ideals, partly on self-interest, and partly on utilitarian values (see: Anywar, 1947; Crazzolara, 1951; Uma-Owiny, 2013)[164]. These features provided a foundation for ordering society, and integrating them within a common macro-level normative system, the kaka, within which the society was guided by the constitutive rules, to pursue and exchange their lineage-based interests. It also provided for the polities, the ground for intentional interactions with outsiders, including, in modern times, the central governments.

In the "modern" times, the four features of culture associated with the Acholi were influenced by the persistence of civil strives, dominant and predatory governing interactions and the world of Global Human Rights Organisations (GHRO). Even with the plethora of contradictory actors, evidence show that the Acholi remained largely "traditional" until in the recent time - possibly until the 1970s. The non-economic elements of its society – the kinship and entrustment currency as measures of tribal worth have remained dominant and active even today.

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[163] Focus group discussions with a group of elders in Pabbo (September 2005) and in Alero Labala (December 2005) and informal discussions with a number of Acholi elders point to the fact that culture as power tended to be used appropriately in response to the situation in hand. Evidence of flexibility in the use of culture that constrains governance were discussed and presented elsewhere in this report.

[164] Reading through the ethnographies of the Acholi *macon* and the interviews conducted, these attributes became very evident in summing up what appeared to have been the value identified with the Acholi.

The changing cultural strata of the Acholi

The mixed culture, dominated by utilitarian traits that marked the Acholi *macon* by 1898 reached a point of decline some times in the 1950s as the social and economic crises usher in new mentality. As a result, *kaka* was unsuccessful as it failed to adapt to the new customary laws that were the model of governance during colonial and postcolonial eras. This drastic adjustment worsens with time. It took a downward trend following Idi Amin's fascist totalitarianism and only to reach social entropy by 2010, when Uganda entered a form of monarchical autocracy of the NRM.

The expansion of governmental regulations, regimentation, and control of societal relationships through customary laws during the last one hundred and twenty years, have unsurprisingly, resulted in decrease in the legitimacy of the individual households and communal groups. These efforts, mainly resulting from outside pressures, have assumed variegated forms, embracing higher tendencies of military democracy during colonial era, a socialistic–cum-mixed economy during the Obote I regime, fascist totalitarianism during Idi Amin, and a blend of what characterized the colonial era and increasingly by 2010 a form of highly monarchical autocracy of the NRM.

Subsequently, the first trend that emerged was the disintegration of the fiduciary culture and the traditional norms that were associated with the principles of ideals, self-interest and utilitarianism that became very obvious by the mid 1980s. This breakup, Girling (1960:2) noted, started to deteriorate rapidly in the 1950s. My own assessment is that the current social entropy in Acholiland following displacement in the camps has clearly ended this aspect of the Acholi culture.

There was, among many things, the disintegration of *kaka's* moral, legal, and other values which, from within, had controlled and guided the behaviour of the individuals and dominant practices of the society. Some of the most senior respondents admitted that the emergence of Joseph Kony's LRA is a demonstration of how individuals and groups became the victims of disorder when they cease to be controlled by deeply interiorized and moderated moral values, which are ethical, aesthetic and respected (see: BT, 1964:24).

> **How can that be that *latin* that is mentored by elders, or, a group of *awobe*, who grew up in *gangi*, would become a social menace in Acholi?**

Never. I say, never, if there were still our system…[165]

The second trend is a positive transformational process, which explains the transition from one basic order to another. This is an epochal struggle between the fraudulence and divided present order falsified as a state system and the more creative and forward-looking forces of the emerging, integral, sociocultural order that is cross modern - born out of lived experiences within the global villages. These new forces are as it is, still very weak and insignificant in the face of the daunting aftermath of the camp life. However, they are slowly growing, anchored on the pillars of courage, partnership and realism. This reinvigorated *kaka* ideology has started not only to fight the disintegration of the Acholi, but also to redefine a new socio-cultural order – one that combines tradition and modernity, acknowledging that modernity is pluralistic and not idealistic.

The Acholi conflict culture of tolerance

In closing, I want to argue here that Acholi as a society by 1898 through to 1960s could best be categorised as a conflict culture. This is because conflict cultures relate to the general frame in which a certain society – with its typical social, political, economic and resource aspects – tends to create certain types of conflicts, and respond to them in a very predictable way (Anderson *et al*., 1997). The Acholi culture of the colonial period was a fusion of what were of the different ethnic groups and those imposed on the Acholi society from outside. By 1962, this had stabilised with a strong notion of mistrust of autocracies that was swamping its lived experiences. As such, it abhorred internal deceits – in ensuring compliance to the principle of entrustment - that remained a strong aspect of its internal cultural element for survival[166].

At the climax of these multiple and sometimes oppositional interactions stretching from the mid 1800s to the 1960s, the Acholi society adopted a version

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[165] Charles Alai (RIP) in an interview at Roma Hotel. The italics were based on his emphasis of Acholi words that give meanings to why it could have not been possible because "*latin*" and "awobe" were dependants who under jury duties were subjected to the guidance of the elders. "*Gangi*" on the other hand,, were systems that enforced disciplines and would have acted appropriately.

[166] This analytical viewpoint is reached based series of discussions of known upraisings including the Lamogi rebellion of 1911/12 with a number of scholars. This was in response to viewpoints of six elders from Lamogi, Pabbo and Payiira on the incentives of contestations by ethinic groups to specific outside interventions. This discussion was done during the research period.

of fiduciary culture, *gen* as an internal virtue, to preserve, protect and promote its internal order. *Gen* was entrustment without trust as Shipton (2007) stated. It had to rely more on its social purpose, to overcome the divisive effects of commerce and greed that drove foreign interventions in the belt. *Geno* one another as community-in-place was a given and this espoused a practice of distrust and opposition to any forms of enslavement or domination. It nurtured a feeling of *ribbe* or unity as a social purpose that had strong faith in leaders like Awich of Payiira and this was demonstrated in the Acholi Local Government achievements in the 1960s[167].

Gen was not about the fear of powerful outsiders because the Acholi had working and mutually supportive interactions with the despotic and powerful Buganda and Bunyoro-Kitara kingdoms to the south (Onyango-Odongo, 2011). Rather, it was ideation and governing practices. As Dwyer (1972:5) contextualised with regard to the British, the latter never conquered the Acholi society. It subdued its leaders by using the Nubians and firepower but the leaders remained opposed to how colonialism was unfair and unjust to their people.

Seemingly, the Acholi society abhorred unfairness in governance. Opiyo-Oloya (2013:16-17), while defining the significance of a child in Acholi observes that an Acholi recognises a child as an individual of significance – *man dano adana calo wan*! This particular sense of basic rights as a living thing can be identified with both the contemporary and the past. Hence, the society during the past times, it can be affirmed, acted based on *casus belli*, which is *lapii* in Acholi. *Lapii*, it is suggested, formed one aspect of the democratic pillars in societal mobilisation against both good and bad (Bere (1947:1-3)[168]. *Lapii* would justify the application of the right form of *ongon* that have followers. *Ongon* were evidence or precedence that would inform the decision of the society NOT elders, as often this seems to be the interpretation. The latter were in reality, the archive of *ongon* that would swing the directions of the governing actions of the entire

[167] Opposition to oppressions, the call for internal unity or "*ribbe*" against anything outside the *kaka* Acholi are expressed in a number of Acholi folk and war songs that today are sang as part of the lyrics for *bwola* and *otole* dances.

[168] The legenary split of Gipir and Labongo, the relocation of agnates from one *kaka* to the other, the impression given that the Acholi disagreed among themselves - all testify to the independent mindedness individuals held in facing governing troubles based on *casus belli*. It underpins response to some events rather than being a cause of such unpleasant event.

society. Since *rwodi* and the core agnates did not have their own standing army to pre-empt wars, it was *lapii* and *ongon* that would rally the non-core agnates for actions.

Conflict culture as discussed in this study is viewed in relation to identity traits, one that abhors extremities (see: Anderson, *et al.*, 1997; Crazzolara, 1954: Chapter 3). It reflects fundamentally on institutional values and how it can mediate societal responses to even powerful and sometime incompatible others or corporate entities. *Gen*, as a virtue has lived in Acholiland and influenced neighbourhood cultures. One would *geno* another because one knew where s/he came from, which *abila* they celebrated or which *jogi* they follow. As *gen* did in the past – create resilience over the Arabs slave traders - today *gen* has built a temple in collective views against societal oppression and the various political actors in Acholiland have come to terms with it[169].

Silva Finnica (2001), while researching on cultures of different societies in the west concluded that some societies have cultures that were conflict prone, while some were not (Finnica, 2001:8). According to Finnica (2001) 'conflicting (sub-) cultures' relate to situations where the cultural backgrounds of the conflict partners are different, to the extent that it creates a conflict. However, 'conflict culture' on the other hand relates to the general frame in which a certain society – with its typical social, political, economic and resource aspects – tends to create certain types of conflicts, and respond to them in a certain way.

Anderson et al. (1997), for example, argues that natural resource conflicts tend to vary from culture to culture, as some societies avoid conflict, while others will resort to physical violence to resolve them. The focus of most conflict research has been in describing and analysing 'conflicting (sub-) cultures' within the dynamisms of individuals. This research, however, pitches the evolving cultural values of the Acholi as a collectivity against globalisation. It presupposes that when Acholi District Administration was created, the societies that formed it had to respond to the new norms as the Acholi. This, unlike in the case of *kaka* consociations, was forced upon the various entities that formed the Acholi ethnic society through formal rules. Nevertheless, the different *kaka* had their own cultural ways of 'producing' conflicts in governance and responding to

[169] I have discussed in some details what *gen,* an Acholi word that is often associated with trust in Chapter Four and Five

them, depending on the context. In the new system where third parties with different intents and cultural backgrounds were involved, the equilibrium that was set in the forms of *kaka* was destabilised. This introduced new conflicts in the rules of the game in communal governance, which had to be dealt with under pluralistic legal frame.

In the case of Acholi, scholars have explained the parallels in the historical trajectory of governing interactions with the third parties, including central governments (e.g., Giring, 1960: 125-164; Dwyer, 1972:33-36; Branch, 2011:Chapter 5; Dolan, 2005; 2011:178-184). From these narratives, it is unlikely that the outcomes of changes in Acholiland were based on conflict (sub) culture. Rather, the Acholi people initially welcomed these new forms of interaction, hoping that these would build on their competitive and comparative advantages[170]. In the case of colonialism, the different *rwodi* met under the chairmanship of Rwot Awich, to contest those elements of interactions that violated their core governance practices, including the demands that some *kaka* would be subordinating their peers (e.g., see Uma-Owiny, 2013). As demonstrated by the Lamogi rebellion, the leaders attempted to use recognised dispute mechanisms, to resolve their difference with the third parties but often in vain because outsiders had different motives that demanded outright conquest of the Acholi[171]. Hence, the Acholi social and ideational values that underpinned community governance were under siege and it was forced to violate peace based on *casus belli* (see for instance*:* Girling, 1960; Onyango-Odongo, 2009; Opiyo-Oloya, 2013:43-46).

The Acholi "conflict culture', it seems, continues to change but expresses a general setting that are increasingly more accommodating, retaining its proven history of diversities (e.g., Atkinson, 1985, 1999, 2010). This is because the original governing context of interactions, namely, the geo-politics, and typical social, political, economic and resource capitals, approved of societal diversities – the *gangi* and *kaka* governance systems. These architectures were both influencing and adapting to new ideas in a manner that eschews violent conflict (Girling, 1960:151).

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[170] For a good discussion of interactions between the Acholi and the Arabs slave traders, see Ouma (1972) and also Uma-Owiny, 2013

[171] In Chapters Five to Eight, I have laid out what I see as the manifestations of this conquest as the intentions of outsiders.

It seems to me that the political actions that established *kaka* as a consociation resonated with the overall constitutive contents of collective governance systems. This influenced those internal actors who were inward looking and the proponents of *kaka*-dom even when they differed in the intentional dimensions of interactions. Under the circumstances, internal stability and peace were largely achieved, only later disrupted by interference of third parties. The desire for self-autonomy rallied these internal actors behind their *rwodi moo*, in self-defence. In other words, the elements of the Acholi culture that governed intentional interactions among the internal governing actors were stable and enduring thereby permitting co-existence, and therefore peace and tranquillity. This culture, the *facultative mutualism* arrangement, had limited governance outreach it seems, to subordination to other actors. However, when social-political actors choose the right instruments and strategies that avoided violence, stability was maintained. This is evident by the fact that most *kaka* by 1898 had increase in the numbers of non-core agnates (Kooiman, 2003:59-61). Whenever social powers were applied and some groups felt wrongly marginalised - which was common - it would lead to contestations of the processes, and even the outcomes, whether real or perceived. This, I am told, led to the elaboration of the Acholi renowned mediation tools, *mato oput*, to ensure sustained peace amidst external aggressions.

In other words, the seat of social conflict is often in the matrix of its meanings, the values it expresses, the norms and the perceived status, and the hierarchical set-ups it represents (Rummel, 1976:na). When governing interactions aimed at changing existing status quo in a more reinforcing manner, the Acholi culture has continued to respond positively (Atkinson, 2010:86-88). Wild (1947) made similar sentiment in reference to the work of Emin Pasha in Acholi, from 1885 to 1889. He suggested that Emin Pasha gained the confidence of the Acholi society because he attempted to address the ills of the Arabs traders in Acholiland. However, where social power is applied excessively, the opposite has been observed. Hence, the social potential for conflict, it seems, is defined by its subjectivity, and rarely is in the spontaneous result of unbiased facts, conditions, or events. In the case of Acholiland this can be testify by how the Acholi responded to the missionaries and the British Administrators, who were both colonial agents. While they, seemingly, conformed to spiritual justice advanced by the Churches, they did not to governance by the administrators.

Problematizing Acholi as a Fragile Situation

In problematizing Acholi as a fragile situation, I summarise the history of violence and its link to community governance. By categorising violence by typologies, one can easily see how it impacts on community governance.

The history and patterns of conflicts in Acholi

There have been a number of analyses regarding conflict in Acholiland and northern Uganda in general (see: Finnström, 2008; Branch, 2011; Dolan, 2011). With the help of secondary data, including the one I collected for Oxfam-UK in 1998 (Oloya *et al.*, 1998) a historical profile of community crisis was constructed and is attached to Annex. This information covers the entire Acholiland and it was generated by use of participatory rural appraisal tools. In constructing the study, participants were asked to identify and prioritise all forms of individual and community crisis that they had faced since the 1950s. The study compiled gender-based as well as community-based shocks, categorised by effects and types, and a refined presentation of this information is summarised in *Table 3.1* in the Annex.

Similarly, in 2003 the World Bank, jointly with the Uganda Bureau of Statistics (UBOS), undertook a baseline study in northern Uganda in order to understand community governance, institutions and investment priorities with a view to supporting a community social fund. This employed mixed methods - quantitative and qualitative – and it identified various sources of community shocks and factors that precipitated the vulnerability of communities to these shocks (UBOS, 2004; World Bank, 2005). I have built on these studies and profiled them in *Table 3.1* in the Annex.

Generally, by combining primary data and secondary information, it became clear that periodising violence and a delineation of its effects to a specific period was very difficult. This is because violence, according to the respondents, is subtle, direct and common, more often than the wild and vivid images of the destruction of properties and assets that scream in press reports (Allen, 1998:25). In addition, conflicts mutate, feed into other forms and produce new kinds that sometimes have different perspectives. Its presence, they argue, often manifests in different forms as it exploits the presence of other factors - including poor relationships – to impact upon the community.

For instance, political violence since the inception of Acholi as a political community, have exploited the vulnerability of the Acholi to factors like weather and famine, but also its interactions with other communities within the geopolitics. This as we know, built on the past histories of conflicts in the territory – whether caused by humans or nature. Similarly, in the recent past, political violence mediated the reshuffling of *kaka* but also in reshaping the Acholi generations that grew up in the protected camps in the twenty first century.

History of violence in Acholiland

Veal and Stravron (2003:9) like Allen (2006:25) assert that there is a deep-rooted history of endless wars and feuds that fermented in the present Acholi area. The causes, however, were wrongly attributed to culture of violence attributed to Africans – that is, the absence of authoritative leaders to create political order (e.g., Grove, 1947 cited from Finnström, 2008: 61). Allen (2006), like Grove (1947) argues that wars [read fighting] were ideally part of the governing activities of the Acholi past. While intra and inter *kaka* rivalries or simply *lweny kaka* were eminent during pre-colonial era and it helped shape community governance systems (see: Grey, 1952:3-7) and moral platforms for patrilineal governance (e.g., Atkinson, 2010:201-203), most devastating violence, were products of external logic (e.g., Crazzolara, 1950:70,72; Finnström, 2008:214-215). Internal feuds, like the mythical story of Gipir and Labongo who were brothers and they disagreed to resolve household disputes over rights to a spear and acquired beads respectively, are cases of governing issues that were not and cannot be problematized as social issues (see for instance: Crazzolara, 1950:Chapter 13).

Crazzolara (1950), for instance, further reveals that the history of Luo is “history of quarrels”, wrongly implying that conflicts and possibly violence were problematized as societal and therefore a subject of governability. To the contrary: I shall advance that disagreements and widespread quarrels that manifested among kin were demonstrations of competing nature of co-governance within the *kaka* governing system. *Kaka,* especially from the kinship level demanded and expected open-handed fiduciary responsibilities by each of the various governing entities inside it realm (Crazzolara, 1950:70, 72; Pain, 1998:11). There were often contestations of governing actions at or by *dye-kal* governing levels, where each *dog ot* was heavily obliged by customs to conform to the *abila* of a single forefather.

The fact that pater would legitimised and/or regulated the authority of the older households in favour of the collective – that favoured the younger households - created both frustration and fear in the older siblings who sometimes wilfully comply with care taking of the younger siblings, to safeguard such inheritance[172]. In addition, there was what Girling (1960: 55-80) referred to as the jury authority of the *won*, which was supplemented by their traditional power to curse. These forms of legitimacy led to contestations or grumbles within individual families and among clan members as they would challenge the legitimacies of the *won*, as they sought for social space, social justice and rights of individuals (see: Crazzolara, 1950: 70,72)[173].

It was also at this kinship level that fiduciary duties of the *wegi paco* and *wegi odi* or just the *won* fused with the traditional power of cursing. By custom, *won* had the power to curse deviant individuals considered *latin me gang*, which action could negatively affect their societal relationships thereafter[174]. This created insecurity, especially to married couples, whose attachment to the *won* and his resources, were critical for their take-off as a family. It also seemed to me that the salient view of the women married into the *gangi*, played a significant role in spiralling these internal disagreements[175]. It was only when contests were problematized by the system as unresolvable that individuals or families affected migrated in search of justice. In such circumstances, *lurem* or friendly territories or societies were known to provide asylum to such deviants. These friendly societies included *paneyo*, the *gangi* where one mother's came from. As such,

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[172] On this matter, I had three important discussions in focus groups in Alero, Lalar village with 4 elders (November 2008), in Koch with a household – an old man and his 2 wives when they visited their daughter in Kampala in 2009. Building on my own knowledge, I also discussed this issue with elders from my clan during a funeral organised in January 2011 at Keyo, Palema.

[173] This section is constructed based on focus group discussions with old women and men in Gulu town in 2004. The discussion were based both on memories of actual occurrences but also on stories pass on to them from the past. The discussion of the legend about Gipir's and Labongo's behaviours, were part of the stories remembered.

[174] "*Latin me gang*" is one who is borned and raised based on the customs and beliefs of a given "*gang*" as a settlement and a political space and landscape of community governance.

[175] In four out of six interviews on this matter of a quarrel based on Crazzolara's remarks, the response I got is what I have summarised above. The other two respondents could not tell the reasons for such a quarrel other than that it was normal for family members to quarrel. They associated this to rivalry over breast milk.

the Retired Bishop Ochola comments that the Acholi clans are scattered all over the space, sometimes having moved away in search of such relief.[176]

Conflicts since the 1850s admittedly have been predatory and in some instances moralistic[177]. Finnström (2008) covered these forms of violence and violations during the *aconya* periods, 1850s to 1962, in his anthropological work (Finnström, 2008:105-108, 208-211). He sees structural violence in the form of xenophobia and ignorance, as well as physical violence driven by the political economy of social power. Governance dominated modern conflicts in Acholi. He also sees violence mutating from one form to the other. For instance, from 1862 to 1875, *lweny kaka* were fuelled by a combination of economic motives and social power, aided by the Arab slave traders who used their superior fire power and devastated Acholiland (see: Onyango-ku-Odongo, 1972).

Onyango-ku-Odongo (1972) narrated how such greed-led actions, like killing, rapes and abductions, devastated the entire area and forced people into exile in the neighbouring Bunyoro. In this context, political violence mutated into structural ones, reinforced by camp lives. Similarly, events like military excursions by the explorers were always violent and aided by the Nubian forces who had historical contentions with the Acholi arising from their actions as slave traders (Lwanga-Lunyiigo, 1989). These confusions were made worse during hardship, like when people were sick and when there were epidemics or famine that followed bad weather (see: Atkinson, 1999, 2010:262-267).

The colonial period[178] as the second phase of the *aconya* was even more dramatic and it consolidated mistrust in foreign regimes. The elevation of the notorious Nubians as political administrators over the Acholi by the colonialists, in spite of their history of torture, broke the trust Acholi nursed about the British[179]. Nubians had been driven out of Acholi following their acts of

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[176] Interview with Rt. Revd. Bishop Baker Ochola

[177] Scholars of violent conflicts have proposed several typologies of violence; some based on the motivation factors (e.g., Block and Block, 1991) while others on the relationships between the offenders and the victims (e.g., Packer and Smith, 1979). Cooney and Phillips, (2002) and Black's (1983) typologies are based on explanatory factors, while others have combined the relational and motivation logics (e.g., Block and Block, 1992; Williams and Flewelling, 1988).

[178] This was from 1898 to 1962

[179] The oral narratives about Sir Samuel Baker and local leaders often gave the impression that he indicated that his government was concerned about the tortures in Acholiland

impunity and atrocities, but came to aid the pacification of Acholiland from 1902 to 1935. This showed that the transition from the era of Arab slave trade to colonialism was a mere change of guard in a relationship that was promised by the explorers as more supportive (Uma-Owiny, 2013; Veale and Stavron, 2003).

The subsequent reforms in community governance systems were violent and violated the sovereignty of the different social groups in Acholi. The management of these reforms by local chiefs who had no remorse for the locals deepened the structural context as well as the physical side of the violence, as was manifested by the Lamogi and Labongo rebellions of 1911 and 1913 respectively (Branch, 2011:46-49). In the post-colonial era, Allen (2006) for instance, talked about the stigmatisation of the Acholi and the emergence of contestable and prejudicial notion of the Acholi men as the martial race in soldiering. Both structural and physical violence dominated the scene of post-colonial governments, hurting the economy, settlements and the morale of the people of Acholi (Branch, 2011:45-48; Finnström, 2008:107-108).

Until recently when natural resources – like farmlands and petroleum exploration began in Acholiland (see: Whitehouse, 2012:1-15), Acholiland had been viewed as a "county with little or no promise of success" (Barber, 1953:31). This image was constructed mainly because of the diffused power centres enshrined in the Acholi hierarchical political organisations and especially because it lacked the despotic characters of "real leaders" (Branch, 2011:46-49). In addition, geopolitically, Acholi is in the central north, remote from the centre, Buganda, without an infrastructure to connect (Barber, 1953:31). Even as recently as 1986, Acholi was believed to be a wild reserve (Whitemore, 2010)! This political outlook remains prejudicial even to this day.

Part of the problem was how scholars and politicians understood and gave meaning to heterachical social-political organisations that defined Acholi *macon*. Western scholars especially, and proponents of state as a model of governance, tended to consider that civilisation was embedded in authoritarianism (see: Rajai and Phillips, 2002), something that is now firmly contested (see: Thomson, 2010: Location 2503-2543). The perspective that heterarchical culture is an equally good model builds on Girling's (1960) and

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by the Arabs and that the British will ensure that the Acholi, once it took power, will be accorded its independence from torture from slave trade.

Dwyer's (1972) notion that heterarchy is morally plausible because it nurtures mixes of governing actions. It mediated development on relatively democratic and "equal terms" (e.g., Bere, 1957:1; Girling, 1960:126). It certainly had its downside, which I discuss later.

Acholi's internal relationships were mixed, particularly towards 1898 and especially after the mass displacement to Bunyoro. The Acholi model of governance came under siege both from within and from outside its domain. The internal pressure came from the larger *kaka* and subsequently from *kaka* Payira under *Rwot* Awich, in line with *Rwot* Camo's long-term vision of ending external aggression (Dwyer, 1972:37-38). At least two political outcomes can be stated following this situation. First, it provided additional safeguards particularly to younger, smaller and vulnerable polities, which looked to *kaka* Payiira and similar ones as allies and political mentors (see: Atkinson, 2010: 266-267, 271). This action swelled the capacities of these mentors both politically and numerically. Second, it threatened the other larger and egocentric *kaka*, which quickly sought allies with external forces, including the Nubians and Europeans, thereby escalating political differences within Acholiland (see: Allen, 2006:28)[180].

As Portes (1998) admitted, the intrinsic characteristic of social capital - the glue that enables trust - is that it is relational and therefore needs to be nurtured to grow by reinforcing the positive aspects of its purpose. In other words, social capital only exists when it is shared, that is, when it is collective, and its influence is therefore most profound in relationships. Where relationships were frail, as was typically the case in Acholiland during the 1890s and the colonial era, it withered, exposing the Acholi to external aggressions.

Moralistic forms of violence in Acholiland

Moralistic violence, which was present in the form of *lweny kaka* during pre-colonial and colonial times and occasionally during post-colonial periods, was used to secure social justice. This violence was consequences of internal logic within the Acholi system and sought to right social wrongs. It came in form of group revenge, or individual acts that represented group aspirations. Overall, these actions aimed to take revenge for wrongs committed and delayed justice.

[180] Tim Allen indicated that examples of some of these larger *kaka* included Atiak, Pabbo and Padibbe.

It was effective in managing certain conflicts but also in spiralling inter-*kaka* conflicts (Finnström, 2008: 211-214).

From field interviews*, lweny kaka* targeted a society and it was a group decision not individual (Atkinson, 2010:211-214). *Lweny kaka,* under the formal laws, is codified as criminal even when it is a form of political violence (see: Black, 1983). Under formal laws, societies can report cases of injustice. A discussion with elders about what *lweny kaka* that Allen (1998) and others considered as routine during pre-colonial time revealed that it was based on *ongon* or precedence and evidence (Finnström, 2008:212-213). It was often violence that arose out of either negligence on the part of the offenders or denial. The transgressed would express desire for compensation and reparation based on available evidence (*ongon*) in anticipation that the delinquents would respond positively or provide alternative *ongon* to dispute claims by the transgressed. Depending on the outcomes, there would be collective responsibility that had to be accepted.

The local narratives about *lweny kaka*, which was a form of moralistic violence, confirm that it was an act of revenge. It was triggered by what the aggrieved society would have collectively interpreted as wilful abscondment by the offenders, from the agreed path to restore societal justice[181]. Typically, the use of violence to extract justice was reached in clan meetings. *Lweny kaka* as a form of revenge followed the principle of collective moral responsibility. This recognised that the entire clans of the aggrieved as well as the offenders were either innocent or guilty of social responsibility. Most writing about *lweny kaka,* especially by Western scholars (e.g., Allen, 199; 2006; Grove, 1947), ignored the basic tenets that *lweny* was always the last resort, only applied to restore respect and the image of the affected clan.

Elders admitted that prior to *lweny* extensive forms of alarms for *lweny kaka* were symbolic, intended to cushion the offenders. Father Pellegrini (1963) wrote about threats of *lweny kaka* in Acholi, arguing that, most often, they were merely verbal threats of wars that never took place. This, I learned, was the intention. By nature, the Acholi people would be rated as economically

[181] Acholi uses *lapii* to firm up any form of compensation for societal misdeeds. After successful negotiation compensation, which symbolized acceptance of guilt on the part of the enermy clan, the latter would agree to settling the "debt" and any failure to, would be communicated by a representative from the said clan.

unwealthy because by the time of colonialism, they had little accumulation and disliked losing even the little accumulation they had in store. As such, they disliked war and being in debt over things as culturally embarrassing as failing to pay up societal debts. The threats were open invitations to the defaulter, to comply with agreed positions. It is only after failure to respond or notify the claimants that actual *lweny* occurs, and even then, only after it was first approved by the system and finally carried out by joint forces from all the *dye-kal* that made up the *gang* or *kaka*. This was because physical fighting was often the last resort, as spilling of human blood on the soil was against the norms of the Acholi people[182] *Daker*, the *rwot's* wife, was tasked with this burdensome role of giving the last ritual for revenge. And giving to *daker* this responsibility was a killer offer because she was a mother to all, who loved peaceful resolution of conflicts[183].

Predatory violence in Acholi

Predatory violence, on the other hand, according to scholars like Tittle (1995), represented xenophobia, manipulation, or property extraction that showed no recourse, in this case, for the Acholi as a people. Typically, during pre-colonial and part of contemporary Acholi, the actions of the Arab traders, colonial authorities and the state can be categorised as predatory. These were actions that sought to neutralise the victims and, in cases where the latter sought dialogue rather than outright imposition, it led to outright violence. Social tortures in general and political and structural violence in particular are forms of predatory violence because they sought to suppress a group of people.

Within this category, I argue that violence that was a result of weather, diseases and pests that neutralise the victims is a violation and therefore predatory (see: Atkinson, 1999; 2010:122-123, 235-236). Additionally, the dominant governing interactions, including the manipulative, exploitative and xenophobic actions of the private sectors, are predatory (see: Finnström, 2008:134-137). In this circumstance, violence was predicated by social conflicts -

[182] Retired Bishop Ochola emphasized this point a number of workshops I attended whenever he discussed "*lapii*" as meaning and reason for acting to redeem order in a society. Bishop's clarity in this matter is probably well centered in his role as a Church leader. My discussion with three other elders from Acholi regarding "*lapii*" give similar clarity and meaning, centered around fear for *tipo* or "bad spirits" when one acted in bad faith, without clear *lapii*

[183] There are testimonies of how *daker* refused to set men to war because they often felt it was a wrong thing to do.

the latter being actions of an aggregate of individuals or agencies, events and societies, rather than individuals.

In predatory violence, the agencies are in pursuit of an agenda, which may have no root in a disagreement, conflict or incompatibility with the intent of the other groups. For instance, the British colonialist's core interest was imperialism, which was an asymmetrical relationship in which one group is superior to the other (P'Ojok, 2007:4-10). In principle, trade and commerce existed with Acholi *macon* and could have lifted and transformed them if it was exercised morally. However, the architecture set for trade with the Acholi by all systems, public and private, optimised the exploitation of the Acholi. In other words, as a form of modernity, the position was set in which Acholi had to comply or be forced into submission (see: Finnström, 2008:134-137).

Additionally, especially in the early part of the NRM and LRA/M insurgencies in Acholi, the community was placed in a precarious situation. On the one hand, the Acholi desired a communal change that would shatter the prevailing image created by some of the UNLA soldiers that came from its territory. They desired change to correct such isolation and looked to the NRM to do that. On the other hand, as Lamwaka (2002) argued, the NRM sought to impose collective guilt on the Acholi for the evils of the past regimes (Lamwaka, 2002:na). In pursuing this agenda, the community and the LRA were lumped together as perpetrators (e.g., Finnström, 2008: 92-97, 99-108; Dolan, 2011: 75-76). As discussed in Annex 3.2, this dichotomy played into the hands of both the government and the rebels in the politics of governance, damaging the image of the Acholi as a society.

In explaining the history and legitimacy of violence and violations as an insider, I explored in Annex 3.2 three strands of arguments that have emerged in marginalising and labelling the Acholi as warmongers. I further provided evidence that most analyses of violence by outsiders misconstrued the reality that exist in Acholiland, often choosing to give labels that befits but also resonates colonial discourses that aimed at degrading and subjectivating the Acholi because they bore openness and disliked micro-management of their own situations.

Concluding Remarks

In this Chapter, I have used peace studies as an analytical lens to contextualise the history and politics of community governance in Acholiland with the view of situating it within national, regional and global arena. The chapter contextualises, on one hand, the contradiction in governing practices that pitches, cross-modernism, legal-rationalism and neo-patrimonialism and on the other hand, it lays out the prevalent contestation of legitimacy. Contextually, violence, based on the analyses, has become the means of establishing credibility and capabilities by hegemonic leaders. The ultimate intent, it seems, is to reconstruct Acholiland as a subordinate element of Uganda even when the latter has failed to conform to the principles of modern statehood.

Chapter 4 – Exploring the Acholi Community Governance Systems

Introductory Remarks

This chapter begins the empirical section by drawing from existing literature and the views expressed in the various discussions, interviews and focus groups with key informants as indicated in chapter one. Unless stated otherwise, I am asserting consensus views amongst these informants[184]. In the chapter, I have argued that most western scholars considered in the academia as specialist on the Acholi of Uganda have done a disservice in conceptualising pre- and colonial social-political and governance structures. To the contrary, many of them followed the thinking of the British colonialists who sought to identify emerging hierarchical offices and structures, and marginalised the more egalitarian structures (Raija and Phillips, 2002).

I have countered in this work this stance through the use of evidence from early written accounts but also contemporary oral testimonies, words used in describing governance and songs as narratives passed on through generations. I set, through these sources, to periodise evidence of political interactions that might have existed within these homologous structures before and during colonial time. My conclusion is that an attempt to show case of hierarchical governing structures, like chiefdoms, were in many instances, a distortion that was influenced by what Raija and Phillips (2002) admitted as misunderstanding of what community governance of the nineteenth century was envisioned by western powers (Atkinson, 2010:84-91, 69-70, 85-89, 148-152).

Admittedly, periodization of governing interactions cannot be an easy exercise in the absence of documented evidence. However, those who practiced these governance systems understand the Acholi words and meaning of these interactions have passed on some narratives that support this work. For instance, through the use of Acholi words and terminologies like *ker, loc, abila*, and the evidence and nature of interactions that typically have been documented in the case of chiefdoms or kingdoms elsewhere, I have been able to make some useful conclusions as discussed below.

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[184] My informants are the initial 20 respondents who remained an important source of validation of what I discussed in the fields but also the others I worked with over the years in the field as explained in Chapter One.

Acholi Community Identity Politics

In identity literature, identity politics has been used to examine the construction of belonging, whether ethnic or territorial (Bruland and Horowitz, 2003). Historians for instance, categorise ethnicity as either primordialism or constructivism (Fisherman, 1996:na). In the case of the former, ethnicity is assigned pre-modern or prehistoric origin where ethnicity is considered an essential human constitution. Hence, by reflex one is able to identify with those with whom one shares life characteristics[185]. However, constructivists see ethnicity as a construction that is based on social, political, and historical forces. As such, an individual identity changes over time as social context changes (Rapport, 2002: Chapter 2). Under the circumstance, identity becomes a dependent variable in explaining issues like the link between community governance and violence (Fisherman, 1996:na). In the case of Acholi, two viewpoints have been advanced in the discussion of ethnic identity. In both cases, the core elements of ethnicity have been narrowed into common descent, common history and common territory[186]. The first viewpoint questions the roots of Acholi ethnicity and the second, interrogates its collective identity categorisation.

Regarding the former viewpoint, there are two schools of thought that have been advanced thus far. One argument is that Acholi ethnicity was a colonial construction, implying that Acholi as an ethnicity is a colonial society. I have averred to this school of thought as "cultural determinism". The second school of thought, however, contends that Acholi ethnicity is an evolution of the past. The reconfiguration that happened during the colonial era merely built on what existed. I refer to this as the "constructivism" school.

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[185] See discussion in Chapter Two by Amit, 2002 with regards to community as a sub-society.

[186] Descent here refers to biological lineages, which Atkinson (1999,20100 discussed extensively in his work and summarized later in this section of this Chapter. In taking this path, I aim to reduce the often multiple and convulated meanings given to this concept and to domasticate it in line with was is probably more correct in the cotext of the Acholi of Uganda (See also: Finnstrom, 2008: Chapter Two; Green, 2006).

Cultural determinism

This view states that Acholi ethnicity was an invention by colonialists who created an Acholi ethnicity by forcefully bundling different clans within a given geographical space, as part of the modernity project, to create an Acholi society as a subject of a "modern" Uganda state. Proponents of this viewpoint include p'Bitek (1970), Kabwegyere (1995:40) and Behrend (1999a). They reason that Acholi's collective and political identity was manipulated as part of the colonial project.

Scholars of legal anthropology have discussed extensively the use of a legal construction of space and boundaries in manipulating identities and therefore governance (von Benda-Beckmann *et al*., 2009). Interestingly, there is evidence within Acholiland that support these claims. For instance, there were patterns of tribal wars before and during part of the colonial era that characterised marked political difference. According to Okot p'Bitek, 'at the turn of the [20th] century, Acoliland was divided into thirty politically independent units', which the British administration refused to recognise as separate tribes. On the contrary, the British created an "Acoli district" as a new political unit and proceeded to call all the people the "Acholi tribe" (p'Bitek, 1970:2). In fact, Allen confirms that Sholi/Shooli/Acoli or Luo Gang was "officially" documented in the colonial archive as Acholi in 1889 when it was delineated as a political community with fixed boundaries and a specific geographical location. The people were also called the Acholi (Allen, 1998 as cited from Finnström, 2008:54, 247).

Constructivism viewpoints

In the second school of thought, scholars contend that Acholi collective identity existed long before the first known foreigners arrived in the 1840s. The proponents of this viewpoint (e.g., Crazzolara, 1950, 1954; Girling, 1960; Atkinson, 2010) have rejected the notion of Acholi as a colonial project, arguing that ethnicity is actually "lived, imagined and politically manipulated" (Finnström, 2008:52), and Acholi's collective identity "was formed from the early eighteenth century onwards", when inhabitants politically manipulated *kaka* as a model of governance (Atkinson, 1999 cited in Finnström, 2008:52). This suggests that Acholi identity as conceived by constructivists is dynamic and progressive, merely interrupted by the colonialists (see: Finnström, 2008:52).

F.K Uma, (1972) an Acholi scholar, wrote about the Acholi-Arab relationship prior to colonialism. He asserts that mutually and reinforcing interactions existed among the various *kaka* Acholi prior to the arrival of the Arabs around 1840 (Uma, 1972:3-7). He avows that inter-marriages occurred among families of *rwodi kaka* prior to the 1840s, suggesting that vibrant interactions existed, possibly as early as the 1720s as suggested by Atkinson (1999, 2010). He further alleged that the two rival *rwodi*: *Rwot* Camo of *kaka* Payiira and *Rwot* Ogwok of *kaka* Padibe were both *okeyo* (see: Finnström, 2008:208-211)[187] of *Rwot* Bwomono of *kaka* Palabek (Anywar, 1954:11; Finnström, 2008: 208-211).

The Acholi – the *ogangi* or the Luo *Gang*

Most of the numerous Acholi "clans" claim to be direct descendants of the Luo, something scholars have contested (see: Finnström, 2008:32, 36, 38, 5-53). The Luo are Central Nilotic speaking groups. A group of scholars, perhaps led by Atkinson (2010: 64), suggests some cautiousness in this claim, remarking "Luo played only a peripheral role in Acholi as a whole"- something that many Acholi elders highly refute (Atkinson, 2010:64). The proponents of this viewpoint question the wisdom of those colonial ethnographers, like Father Crazzolara (1954:81-83) and Onyango-ku-Odongo (1976). Onyango-Odongo (2011), an Acholi elder, says the Acholi are Luo-*Gang* – the Luo that were found in homestead, the *gang* or the *ogangi* - denoting a settled lifestyle (Onyango-Odongo, 2011). Southall agrees with the elders and sees some common pattern of similarity between the Acholi and the Alur, who both are considered Luo (Southall, 2004:5). He particularly identified the localised segmentary lineages, which I have referred in the case of Acholi as *gangi* agnates. Crazzolara (1950:75-77) avers that the Luo group who moved downwards from the present South Sudan was a fascinating lot. In fact, he observes that their "swag"[188],

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[187] In Acholi "*okeyo*", which I referred to as nephew in this case are sons of one's sisters. This means that both Rwot Ocama and Ogwok's mothers came from *kaka* Palabek and were sisters to *Rwot* Bwomono. In English, these *rwodi* were cousins but in Acholi, they were *omaro*, sharing a common *paneyo* – which is a significant thing in the Acholi's customs. However, the two *omaro* were often presented as archenemies by scholars like Anywar (1947). This suggests that *lweny kaka* was, in some instances, contests for power even among related groups who were not necessarily strangers to each other. In this case, the Arab slave traders influenced the greed.

[188] "Swags" is slang used extensively in the present Uganda to denote some level of exaggerated pride and achievements. In deed, the Luo were successful warriors

eloquence and charismatic leadership made other social groups that they came across on their paths even beg them to rule (Crazzolara, 1950:75-77; Baker, 1873 as cite in Bere, 1947:6). Brett (1954), Crazzolara (1954) and Girling (1960), in discussing the roots of Acholi ethnicity, stated that *kaka* Payiira, Patiko and Alero, who claim to be direct descendants of Luo migrants, were the founding "seeds of the Acholi people" (e.g., Brett, 1954).

Finnström (2008), whose argument conforms to the constructivists' viewpoint, stated that most Acholi view themselves as Luo. So, Luo they must be (Brett, 1954). However, legal pluralism deserves a central role in the analysis of the law of belonging particularly in the African society, where changing the community seems to be the preoccupation of the West. Here, there are traditional, customary, religious, national and international laws that govern interactions in most African territories. From my knowledge of these laws, the majority recognise that the Acholi culture is a patrilineal system. The British colonialists, if anything, reinforced neo-patrilineal tendencies in its customary laws as part of their colonial innovations[189]. As such, by the majority views, one can claim to be an Acholi by either birth if one's father is or was an Acholi. However, one can be adopted into a clan as putative kin as a primary identity. Belonging, as viewed by the Acholi respondents I talked to and discussed in details later, has rights and obligations attached to it. A feeling of belonging is good but, as argued above, not sufficient.

The Acholi collective identity

Acholi's collective identity refers to an element of its identity that is held in common with a larger group - a collective social attachment (Vemit, 2002: Location 360-79). The Luo connection, as Finnström (2008) articulated in his anthropological study, seems an important one that compels the majority of the clans that made up the Acholi society (Finnström, 2008: 32-36). Herzfeld (1997) calls this "cultural intimacy", which is manifested in the common Luo dialects and the localised segmentary lineages. This, in my understanding, represents common descent as one of the core elements of ethnicity I have talked about. As

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and in that the men had built around them the aura of victors that according to Crazzolara (1950) were the irresistible lots around the

[189] I have argued later in support of this view how they promoted male dominated education, failed to encourage the chiefs, as they did in other things, to educate the women of Acholi.

such, it is the *Gesellschaft* version, where out of multiplex, longstanding interpersonal relationships and familiarity, groups identify themselves as Luo.

There is also a general agreement among identity scholars that collective identity is self-identified, not forced because it bears a sense of self-determination and self-direction (Rapport, 2002: 37). This assertion, however, puts to question the primordial and therefore patrilineal dimension of identity. Nevertheless, the character of relational attachment – which is an element of neighbourhood and locality - is as likely to be derived from multiple attachments that make them members as from contrasts with collectivity in which they are not (Rapport, 2002: 37-40).

It is often the quality of self-identification that enables collective identity categories to share their individual identity claims to authenticity, while also making social and communal goals intrinsic to this authentic identity. Allen (1998) said the same about *kaka* as a collectivity. It was an obligation of the stakeholders to ensure its quality and meanings were worthy. This business of worth or the governing image, in the case of Acholi, was manifested in the governance practices and structures that emerged as part of its history of political evolution since 1898. This aspect defines the common history of the Acholi as an element of ethnicity.

Studies elsewhere have authenticated that during stressful events similar to those experienced in Acholi[190], collective demands, including that for peace, security and belonging, are foreseeable and organised around expectations, shared interests and based on its culture of entrustment, it also includes faith as a value. Shared interests and expectations support the emergence of value systems – like institutions, courage, charisma – that often depend on the physiological 'givens' (see: Joseph, 1987:52). This is the essence of collectivity as a form of communality that in the case of fragility is moderated by *gen* as an institution[191]. It is a choice, and Acholiland, because of its political context, consented as a community to *kaka* as a model of governance.

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[190] Here I refer to the historical profile of shocks discussed in Chapter Two.

[191] *Gen* as we will see later is close to trust, although less firm than trust. As a matter of fact, some elders indicated that the Acholi elders in the 19th century trusted (read as *gen*) the British based on their acquaintance with Sir Samuel Baker, who gave them the impression that his government would help the Rwodi Acholi against the troublesome Arabs. Their part of bargain, which was for the British,

Thus, the emergence of special organisations, like *kaka*, is a condition of human actions and compromises "givens" like kinship, ideology and norms such as age groups, sex and numbers, and to a great extent, on socio-economic identities as testified by oral history in the case of Acholiland (see: Joseph, 1987). These sub-systems emerged as networks of internal power relations needed to facilitate governing activities of social-political actors, and for coordinating governing activities that resonated within such context and occasions (see: Fleetwood, 2007:25-30).

Conversely, collective identity categorisation, one can argue, has been a major catalyst of change in the history of Acholiland. At the turn of 1898, collective identity manifested as shared values – *dong oromowa*[192] – when different groups (*gangi*) or categories (*kaka*) of the inhabitants of the area proclaimed unity or *ribbe aye teko,* influenced by the political context: the post war developments that followed the 1862 to 1875 displacements of the Acholi (see: Onyango ku Odongo, 1976). It became a voice of reason, a legitimised factor in renegotiating post-war leadership traits in Acholiland, as was exemplified by significance preference given to factors like *hegemonic acculturation,* the courage and charisma of most of the *rwodi* Acholi of the post-war period. Leys (1945) acknowledges that the hardship associated with the Acholi geopolitics and its complexity contributed to the shaping of leadership *hegemonic acculturation* as a virtue[193].

In summary, identity was principally coalesced around three parameters. One was as Amit (2002) stated, the neighbourhood and locality, which cultivated societal intimacy (see: Crazzolara, 1950: 70, 72). Secondly, through descent and the associated ideation and *hegemonic acculturation* of the leaders, some common political and social principles like *ribbe aye teko* or unity is strength, and

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to keep the Nubians away from their territory, was not fulfilled. Instead, they used the Nubians to administer the Acholi, continue to torture and rape their mothers, daughters and wives (see:Onyango-ku-Odongo, 1972). This action alone was sufficient for the Acholi to know that the British were not trustworthy people. Meeting held in Roma Hotel in Kitgum, 2003 and Roma in Gulu in 2003.

[192] Loosely translated as, "it is enough" as in reaching a point when lineage identity became less of a priority to the groupings

[193] This resonates with the impetus discussed by Kurtz (2004), and others, and how, for instance in the case of China, *hegemonic culturation* propelled economic growth after protracted periods of oppression in its history. Today, China is supposedly a beacon of liberation symbolising peaceful co-existence of its diverse people, which has been a questionable view in some aspects as well.

in some instances, *gwoke pe lworo* or self-preservation is not cowardice, became common virtues and values. These virtues were products of historical trajectories and this makes a common history the third significant parameter (Crazzolara, 1950:4). Consequently, by 1898, the Acholi collective identity as a distinct tribe in Uganda was configured mainly on these narratives of history, cultural mixing and shifting of identities, largely from the three social groups but with a great push from their leaders. However, there was also the shifting of identity formation through multiple and complex migrations, as well as interpellations of the dominant Luo identity (Ogot, 1967: 18; Crazzolara, 1950-54:10; Dwyer, 1972:16-24. Crazzolara (1950:69-72)[194].

Social-Political Organisation of the Acholi *Macon*

As I have pointed out in the introductory section, the "African specialists" innovated hierarchical political arrangements in the homologous structures of the pre-colonial social groups that formed the Acholi. However, the picture emerging from this research is quite different. As elucidated below, what seem to be likely is that these pre-colonial structures were widely heterarchial arrangements of different *gangi* agnates that represented communal systems. These communal systems in their collection formed *kaka* (see: Sanders, 1969: 521-32; Sutton, 1968: 84)[195]. *Figure 4.1* presents a diagrammatic representation of the pre-colonial community governance arrangements that were found in Acholiland as remembered by the respondents. It shows a cascading image of relationship, with the most populace structures dominating in a kind of hierarchy that was not necessarily superior to the others but certainly stronger, respected and cherished (Dwyer, 1972:28-33).

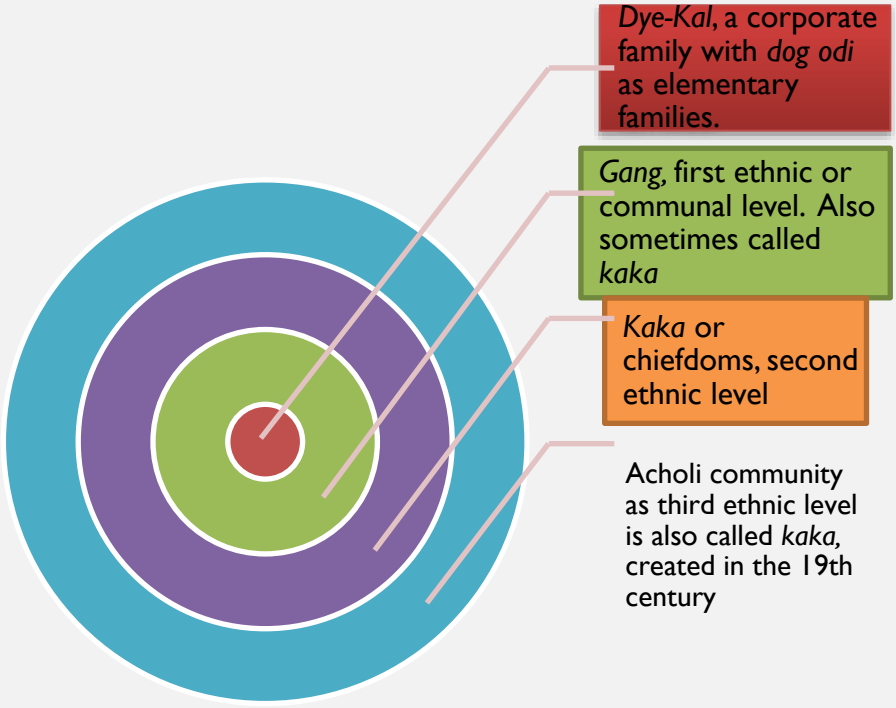
The social-political forms and characteristics of the Acholi *macon* epitomised networks of cascading levels of interwoven governing arrangements where male-based elders of the different agnatic communal groups, appeared to have led non-elders dominantly through regulations rather than command

[194] Crazzolara (1950:69-72) like others have observed that central to the quest for state formation was the prescribed duties of relationships, which were readiness to support in physical, moral and social difficulties based on the principle of solidarity with each other. Hence, brotherhood or *kaka* spirit was entrenched as a motto for survival of the groups.

[195] Interview with Rtd. Bishop Ochola, December 2011

(Driberg, 1932:406). The relationships were complex, respected but not feared, with matrices of both horizontal and some form of vertical levels, because elders were common features, found at all the levels of governance. In explaining the complexities, I have presented the social-political organisations as two main political arenas in tandem with the prevailing authorities. One is the agnatic or kinship governing arena - which comprised the elementary families, the households (*dog odi*), the hamlets (*dog ot* or *dye-kal or paco*) and the villages (*gangi*). This first level formed what I referred to earlier as the communal governance realm because of the often dominant aspects of primordial but also putative intimacy and social relations that were linked to common eponymous ancestor through *abila*, marriage and kith ship, in what is considered *wadi remo/obeno*.[196]

Figure 4.1: Acholi's Cascading Community Governing Arrangement



Source: Field Data, 2013

The second level is what Girling (1960:82-124) referred to as the domains and other scholars, chiefdoms (see: Atkinson, 2010:104-136). I have

[196] Discussions held at different time with elders, including Mzee Wilson Onyai of *Gang* Pakiri, Mzee Oloyi of Alero, Mzee Opoka Lamaca of Pailiec – all these was in Buyale-Masindi in 2005. In 2006, with Mzee Tebere of Pabito, Mego Penina Amono of Purong Anaka

referred to this level as *kaka*, which is the Acholi description for the form of relationship exhibited before colonialism at the highest governance level[197]. It was, until 1900s, the macro-level of the traditional governance system of the Acholi that came about through the consociations of the *gangi* agnates. *Kaka*, therefore, was the macro-level of the political organisation of the Acholi *macon*. It had much to do with shared governing interests, that is, choices and expectations, influenced by common sense and the environment[198]. As such, political legitimacy was tied to the quality of governance interactions among the parties.

Generally, it was difficult to deduce the difference between the levels represented in *Figure 4.1* above or how they related to each other because they were homologous networks of Acholi's governing structures.

> **"How can one begin to write about the institutions of an alien society as that of Acholi?" (**Girling*,* 1960:6)**.**

Okello-Pacuto (2012), a historian, submits that the anthropological paradigm of "Lineage Theory" that was promoted by Evans-Pritchard (1940) was misused when discussing Acholi's social-political organisation (Okello-Pacuto, 2012). Richards (1969:41) had advanced that, because Acholi's social-political organisation by the 1860s was best described as stateless, its historical progression could best be analysed through kinship relationships, something that was rightly contested as unfounded (Girling, 1960:3; Atkinson, 1985; 1994; 1999; 2010).

Behind Richards' assertion was the prejudicial rhetoric that drove anthropological knowledge generation to show what were seen as stateless societies as politically less significant to the centralised systems (Mamdani, 1984). In other words, civilisation was correlated to authoritarianism. Other scholars of African studies, including Thomson (2010: Location 327-336) and Southall (2004), show misconceptions in these arguments, arguing that

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[197] When we talk of *kaka* Alero or *kaka* Padibe in the political context of Acholi, we refer to a collection of agnates that formed that *kaka*-dom. It does not and was not in reference to the core agnates that were the nuclei of the consociations.

[198] The relationships I have discussed can best be argued as fiduciary because it had the core-agnates as the agents and the non-core as principles. However, the relationship at *kaka* levels harboured self-interest while at the *gangi* levels were obligatory as I further explain in Chapter Five.

"stateless" societies had adequate, well-developed systems that served their people sufficiently. By 1898, the Acholi community was familiar with the convergence and divergence of interest groups, having had over two hundred years of experience in history. Its governing organisations while homologous that bore three noticeable characteristics – including quality of governing consent, diversity as a source of legitimacy, and entrustments – that I consider demonstrate morality in governance and are discussed here below.

A blend of kinship and consent

The origin of the Acholi ethnicity, it seems, was one of a family of "tribes" that became a nation by blending kinship[199], kith-ship and consent. This is notwithstanding the arbitrary borders that were later fixed by the colonialists, to explicitly give the area a name and use the legal boundaries to control the people inside the territory (von Brenda-Beckman *et al.,* 2010) [200]. Through politiogenesis, the Acholi political system, it seems, was modelled to conserve the individual identities and diversities of the polities through *autopoiesis*. This, it seems, was regardless of their sizes, compositions and ethnic bases (Pain, 1998:12). If so, then this was probably one important innovation at resolving the frequent contestations of boundaries, uses of natural resources and customs that were evident within these diverse groups prior to formation of *kaka*.

While in fiduciary relationships[201], one person would be in a position of vulnerability, in the case of the Acholi it has been presented as a relative situation, compounded with numerical figures. Some agnates were larger in number and therefore, enjoyed the economy of numbers.

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[199] Kinship in this study is defined as a legitimate relationship recognised between social groups that share both genealogical and affiliate origins, through either biological, cultural, or historical descent with the principle intention of creating social obligations that are enforced through codes of ethics. I have also call this relationship agnates or *gangi*.

[200] von Brenda-Beckman *et al.,* 2010 have discussed under legal anthropology how the construction of boundaries has been used to control people.

[201] In discussing fiduciary relationships and duties in framing this relationship, I am grateful to Father Joseph Okumu for his viewpoints. His viewpoints enabled me to conceptualise the discussions on this concept at www.businessdictionary.com for this study.

This mutually inclusive situation or *facultative mutualism*[202] justified these polities, as we will see later, to entrust each other because it was mutually likely that they would advise, aid and protect each other. This is what the Acholi coined as a form of brotherhood or *kaka*. As Dwyer (1972:33-35) observed, the allegiances owed by the weaker polities to the stronger were based on admiration, respect and zeal rather than conquest (Dwyer, 1972:34) [203].

However, at the corporate and communal levels, that is, the *dye-kal* and the *gang* respectively, fiduciary relationships defined the custom. Especially in the cases of vulnerable *dog odi*, members of the lineage households dutifully supported these households or kin[204]. In this situation, other than under *facultative mutualism*, the principal demanded higher than ordinary degrees of care, which kinship was obliged to offer. For instance, it was the practice to take care of vulnerable people to avoid their *cen* – which is the spirit of the dead – when they passed on. *Cen* would bring all bad omens into the doorstep of the kin. Hence, in safeguarding the numerical figures, no household would compromise the custom. *Facultative* duties were imposed through competitive and comparative advantages, negotiated to ensure some equity, which in most instances, were reinforcing to all parties. Non-core agnates were not compelled to take up the customs except when found as benefiting to them (Atkinson, 2010:84-86). This was because there were other opportunities. This made the practice competitive and market-based. It was on the basis of this that normative behaviours for the partners were set.

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[202] *Facultative mutualism* is used in the study to describe a relationship that is empowering but not compelling, except when it is mutually benefiting.

[203] Speaking to some historians, this system distasted autocracy because every agnate would not serve the gods or worship the image of the others (see Daniel, Chapter 3, verse 18 in Holy Bible).

[204] In my interviews with three elders from Pakiri, Pailyec and Pujwani agnates in Lamogi, I was led to understand that wife inherence was obligatory, as it would serve particularly the homestead that lost a father. Wife inherence did not hold any self-interest and often it was based on capability of the man to provide.

Kaka – as the macro-level governing realm of the Acholi by 1898 - had a variegated grid of politics for all the individual *gangi* agnates. At most, each *gang* agnate was recognised as an equal in the consociation in its own right, with its own *abila* and the different and specialised brands of elders guaranteeing the identity of their individual lineages[205]. There was a manifestation of what Locke (1690) terms, a state of nature, which according to Rawls (2007), was "a state of equal right, all being kings" (Rawls, 2007: 129). The Acholi expression for this is "*an bene arwot ki i oda"* - literally meaning-"I am also a *rwot* in my own hut". This form of individualised autochthony by the individual *dye-kal* or even *gangi* agnates proclaimed "originality" in links between these governing entities and *kaka* as a political institution and the territory. This presented itself as "self-evident", "primordial" or "natural" and therefore, immutable.

Within such arrangements, the governing model did not permit a sub-system like the core-agnates to rule or be an agent. Rather, because of self-interest and benefits, it acted as an agent-in-trust for *kaka* – thereby establishing a dominant realm of co-governance in which it was respected as a legitimate leader. Besides, the core agnates were often more organised and populace (see: Atkinson, 2010). Similarly, as Rawls (2007) avers, the non-core agnates, on the other hand, would not by design, be subjected to the core agnates, and with obligations to enforce the former's authority when violated. This is because both types of agnates were sub-systems of *kaka* political systems they operated in, a relationship that could best be described as a form of facultative mutualism.

Hence, a possible option for governance, according to Rawls (2007), and one which, when applied in the Acholi circumstance, was where political legitimacies of the core agnates (*luker*) were subject to the fulfilment of some minimum conditions within the social contract. This included, for instance, guaranteeing security and freedom for the non-core to retain their kinship identities (see: Girling, 1960:87-92; Atkinson, 2010:85-89). This form of fiduciary responsibility to the weaker polities had an expectation from the core-agnates. *Ribbe,* which is unity, became obligatory in defining *kaka* as a fiduciary institution.

[205] For instance, each elder was specialised in matters of their lineage not of the Acholi as a whole. And since governance was about governing the lineage-based patrilineal agenda, elders were experts of their own lineage as passed on from generations to generations.

Reciprocity was, therefore, the image of justice. Its moral compass was expressed by equity, balance, symmetry and fairness. Peace, stability and harmony were also seen as the wellheads of the post-war Acholiland political thought in the twentieth century.

Absence of an imposing authority

Political power, according to Kurtz (2004), is subsumed in the form of material and ideation resources. Most *ludito kaka* in Acholi were endowed with ideational resources and the most evocative convergence of leaders' powers have been in the practice of what Gramsci (1971) referred to as *hegemonic acculturation* – the mechanisms by which they were able to practice "intellectual and moral" leadership with patrilineal culture (Girling, 1960:82-90). It was in their abilities to mobilise, inspire and entrust the society that leaders differed in the case of Acholi (Girling, 160: 46-48). Material wealth including land, were of limited value. However, the collective numbers of political allies that some leaders like Rwot Awich and Rwot Ogwok of Padibe had, the numerical figures of male inhabitants and later on, their access to wealth through the trade in slave and ivory, were seemingly critical (see also Girling, 1960:174-204; Atkinson, 2010:54-61).

Dwyer (1972) presented the Acholi political system as lying between the segmentary type and the centralised kingdoms, thereby missing "hierarchy, the essential ingredient of the vertical scheme" that was the model of the time. He states that this is a case of "diffused powers" (Dwyer, 1972:14). Consequently, all the *kaka* that consented to a common governing realm were arguably, heterarchical in culture; meaning that they related to each other as "equals" (see: Atkinson, 2010:75-81; p'Bitek, 1972)[206]. In addition, they were not internally cohesive and forcefully bound presumably because, as Shiffered (1987) observed, the "necessary conditions" for statehood formation sometimes would come in

[206] Professor Atkinson - suggests that there were about seventy chiefdoms in numbers at the turn of the 20th century. P'Bitek, 1972 - on the other hand, indicates thirty while *Ker Kwaro* Acholi (2012) gives fifty four.

phases, delaying the realisation of a full stage of evolutionary outcome (Girling, 1960:9).

Conversely, the argument for a single authority in Acholiland was partly wishful thinking by imperial powers. *Rwodi*, had attributes of authority that were commensurate with the models for governing their society – where governance was multi-layered and multilateral (Atkinson, 1999:84-95, 103). They clearly knew their boundaries of authority as demonstrated by political division created during the slave trade. Perhaps the absence of a single authority in the area was the most frustrating feature of *kaka* governance, going by remarks from colonial administrators, who swiftly moved to rectify the anomaly (see: Speke, 1864: 356; Girling, 1960:133).

Transitional community

There was a sustained state of social flux in the region mainly caused by both voluntary and involuntary migrations, famine, wars and insurgencies, natural disasters and diseases as further discussed in chapter seven. Atkinson (1999, 2010:75-81) comments that evidence for greater integration within the landscape started as far back as the seventeenth century, mainly triggered by the fragility of the conditions. Most agnates, especially smaller one, began to form into larger political units, *kaka*, as a consociation against such circumstances. Hence, by 1898, Acholi could, therefore, best be contextualised as a society in transition, where integration was still lacking in most part. Integration, argues Woolcock (1998), encompasses strong rather than weak ties; these are substantive, not formal, rational (Weber, 1978); *Gemeinschaft* not *Gesellschaft* (Tonnies, 1957); mechanical, not organic, solidarity (Durkheim, 1984); value-oriented, not interest-based, action (Habermas, 1989).

Thus, as a society, both integration – which ideally is the formation of institutions of hierarchical power - and linkage as forms of social capital were required and these need to grow and be sustained. A state government as a legitimate authority was envisioned to integrate the various Acholi ethnic groups into a territorial community. That has not and cannot happen, in the near future. Division is seen as a political tool, to help regimes survive the *tsunami* of change that comes with unity.

Gang as a Social-Political Structure and Institution

Conceptually, *gang* (see: North, 2005:60)[207] was a social-political organisation. As such, it was both structural and geographical or territorial: the former describing its contents – the people and culture while the latter describing the patterns of settlement and organisation, as represented in *Figure 4.1 and 4.2* (see: Crazzolara, 1950: 6-7; Bere, 1947:3-5; Girling, 1960:55-80). *Gang* was exogamous, patrilocal and patrilineal, and was sometimes named after the male founders (Girling, 1960:120; Crazzolara, 1954: Chapter 4). By 1898, an agnate had on average between one hundred and seventy to four hundred and eighty men. And there were two types: *gangi pa luker* – the core-agnates; and *gangi pa lwak* – the non-core agnates. Scholars often presented the two types of lineages as hereditary political class in which the *luker* were said to rule (see: Atkinson, 2010:338-342; Bere, 1947:3-5). Consequently, this bias in stratified societies led to most scholars giving undue attention to studying the core-agnates.

The typologies of *gangi* Acholi

Most western scholars wrongly interpreted the non-core *gangi* agnates as sub-clans, suggesting that these organisations identified with their own *abila* shrines were mere extensions of the core-agnates (Atkinson, 1999, 2010:81). Since most of the non-core agnates had small populations and numbers, they were mistaken as sub-lineages of the *luker* and, as such, shared common eponymous ancestors (e.g., Bere, 1947: 4; Atkinson, 2010: 262-266). Allen (1989) referred to *kaka* - a constituency of governance - as made up of related *gangi* agnates. In Acholi this would mean that the people were *wadi obeno* and therefore exogamous, which was far from the truth.

While there could have been some cases of such, the majority of *gangi* as agnates, especially in the early twentieth century, were made of mixed

[207] In this research I will use *gang* to describe the first level of Acholi's ethnic polity instead of sub-tribe or clan. *Gang* is a meso level organisation of kinship-based families, all with full allegiance to one shrine and the spiritual leadership of its *jok. Gang* is appropriately selected here to represent a governance system that is more than family-based and thus the communal level of governance. In most instances, *gang* was more than just a genealogical representation but a "viable" unit of relationship that gives meanings to this study. In this way, *gang* can be looked at as an organisation, representing a group of individual families "bound together by some common objectives"

lineages. With the Alur tribes, based on Southall's (2004) observations, lineages lacked "effective" leaders and had no memories of their history as a result of the social flux, so they resolved to join others, paying allegiance to an *abila* of a common eponymous ancestor [208].

Core-agnates or "*gang pa luker*"

Girling (1960) used the term core-agnates to describe the central role the *luker* agnates played as the nuclei of change rather than emphasising class. The *luker* lineages, however, were often larger in number and arguably, have claimed descent from the Luo (Crazzolara, 1954:81-83; Dwyer, 1972:30; Pain, 1998:5-12). *Ker* was not necessarily in the domain of the Luo group because rainmaking, which was an important attribute of *rwodi*, was found also in others ((Girling, 1960: Chapter 8)[209]. *Ker,* when articulated as a derivative of community governance, is an Acholi word for a regime type, often stated as *ker wa/mewa,* which means "our regime". As such, it conveys a form of "fiduciary duties", obligations and rights over a sect that seems to have some form of tenure. This, however, with time became a form of class, a "royalty" - with regalia and drums - suggesting most likely innovative imitations from *jo pa* Luo. Even if they were not imitations, they revealed a culture that was not common at that time in the area.

As such, scholars referred to *luker* agnates as the aristocratic lineage, bestowing some levels of privileges on their charismatic leaders, the *rwodi moo*, in line with what existed elsewhere (Bere, 1947: 3-4; Crazzolara, 1950: 69-72). This effort allowed comparisons between the different traditional systems that existed in the world. Father Crazzolara (1950:69-72) wrote about the courage, leadership skills and oratory traits of the Luo. This is understood by most respondents to mean that many inhabitants on their path submitted to the leadership of the Luo migrants because they demonstrated having the dominant

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[208] During interviews with elders from *kaka* Alero and Payiira in Gulu town, we came across such an occurrence. There are songs for *bwola* dance that give testimonies of groups that have been assimilated and have built on the strength of others.

[209] Rain making as an attribution of leaders was an important hereditary trait that was associated with some lineages among the three ethnic groups that made up the Acholi of Uganda. In my discussion, it was clear that it was not limited to the *luker* agnates as some non-*luker* were known as rainmakers. It was also belived that an individual from the luker agnates who shifted or got married to the non-core looses the *ker* identity. Cases of non-*luker* rainmakers have not been associated with the movement I have stated above.

traits that was favoured under the circumstances. However, their political legitimacy was conditioned on location specific demands of the people they consociated or colonised.

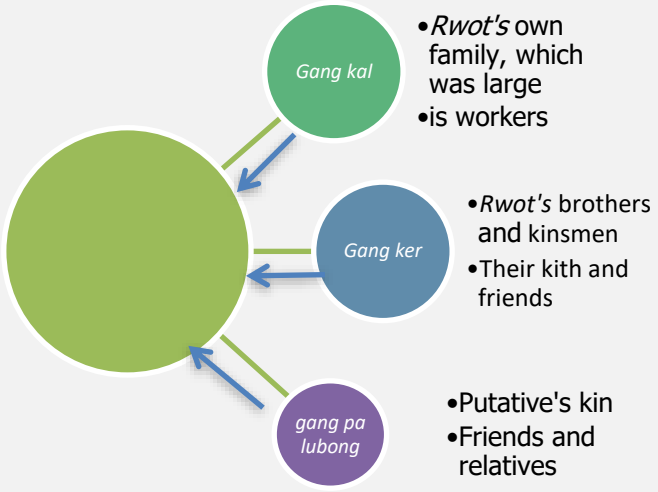
Gang pa luker and *gang kal* formed the core agnate. *Kal* in Acholi is associated with social justice. *Lukal,* which were the households of *rwot*, were the custodians of social justice. The wife of *rwot*, *dako ker* or *daker* in short, sanctified men to war when she approved of war that was sanctioned by the society (see: Girling, 1960: 86-87). Within the *luker* agnates, there were three sets of settlements: *dye-kal pa rwot* or *gang kal* as *Rwot's* own settlement, *paco pa luker* as his brothers and kin's lineages and *paco pa lubong* as the lineages of the putative, those incorporated into the agnate (see Figure 4.2 below). Girling (1960) observed that the task of *rwot* was to command the respect and allegiance of these two lineages, primarily, as the head of the *luker* agnatic lineage and therefore their cognate kinsman, but also through the ties of fictitious affinity (Girling, 1960: 83).

Dye-kal pa rwot was where *rwot moo* and his wives, children and helpers resided. The corporate family of *rwodi moo*, which are the families of his immediate brothers[210] and other affiliates linked to *rwodi*, made up the other two additional settlement types – *dye-kal pa luker* and *dye-kal pa lubong* respectively. Girling (1960:90) for instance, recorded seven branches of the *luker* lineages in *kaka* Atiak, which included the one for *Rwot* Oliya of Atiak. These three settlements together formed *kaka pa rwot*, the *luker*, who were *rwot's* inner circle. As Girling (1960) wrote, these settings were much larger than the ordinary *gang* agnate of the *lwak*. In addition, the *luker* were more endowed because unlike the other agnates, they were more stable and larger in number[211].

[210] *Rwodi* often had children with concubines and were too may ascend to the throne of leadership. As such the numbers of brothers to any specific *rwot* can be large.

[211] Additional information from discussion with *rwodi* Acholi during the research

Figure 4.2: Diagrammatic Composition of Core Agnates by 1898



Source: Field Date, 2013

Non-core agnates – "*Gangi pa Lubong/Lwak*"

The non-core agnates[212] were of two types, and with diverse backgrounds and lineages - sometimes non-related. One was the *lubong*, who were often captives, displaced or dissident individual households, and who as Girling (1960) noted, were putative to the *rwot's* households or those of his brothers. The other was the *lwak* agnate. Unlike the *lubong*, the *lwak* agnates were clearly recognised and respected, and had their separate headmen, *ludito kaka*, who were in some instances, the landlord or *wegi ngom* for the entire *kaka* (see also: Girling's (1960: 82). This, arguably, suggests that territories were not open as Thomson (2010: Location 336) suggested of African situation, and that power in the case of Acholiland, was not actually broadcast, as there seems to have been clear governing constituencies.

Gang Pamuca in *kaka* Lamogi was dominantly of Madi descent (Crazzolara, 1954: 333-334). The people first settled at the foot of Guruguru hill much earlier than the Boro clan, which was the core agnate in *kaka* Lamogi. And, by around 1898 *jo* Pamuca or the people of Muca had the largest *gang* settlement in the said geographical space. As such, the Pamuca , according to

[212] There was contestetation over whether *lubong* lineages should be considered as part of the non-core agnates. Often, the argument goes, they are assimilated within the core agnates and in some instances, some of them became *rwot.* Those that joined the non-core are putative kin and counted as members of those lineages.

oral history, remained the custodian of rituals performed in celebrating *jogi* at Guruguru hill.

> **"An individual, possibly with his wife, who wanted to join up with a smaller or a larger group or clan, was always accepted and wholeheartedly welcomed, even if he originated from a different or hostile tribe" (**Crazzolara, 1951:71)**.**

Generally, the non-core had smaller households, compared to the core-agnates. Additionally, because they migrated so frequently in search of security, they were less endowed compared to the *luker*. Although Girling's (1960:89-90) anthropological study discussed in some instances the organisations of the non-core agnates, regrettably, most attention in the study of the socio-political organisation of the Acholi was focused on the core agnates (Girling, 1960: 87-90). For instance, *rwodi* were said to have had many wives, and therefore larger lineages (Girling, 1960: 97-98). *Rwot* Langony of *Kaka* Koch for instance had eleven wives, one of them a *daker* and the others, concubines (Girling, 1960:98). However, overall, there were often few *dye-kal pa lwak* in total, especially in the larger chiefdoms (Atkinson, 2010:342). For instance, Atiak had twelve agnates by the turn of the nineteenth century. Seven of these were *luker* lineages and five formed the *lwak* agnates (Girling, 1960: 90; Atkinson, 2010:342).

The political structure and composition of *gang*

Gangi were more structural than geographical. They were often named after eponymous ancestors at their core (Girling, 1960:120), although some *gangi* were also named after physical features or in commemoration of special events, such as gifts or even major quarrels[213]. Girling, for instance, made reference to some names of *gangi* among *kaka* Koch that refer to territorial groupings (Girling, 1960:91). Ogoropii, a village in Palema in the present Amuru District, took its name from a water well that supplied the inhabitants, while Amii Lobo, a village in Palema Parish in Amuru District, was a settlement offered by clan elders to immigrants, and thus, *amii lobo* – I have given you land![214]. *Gangi* were also the production level and thus, the root of ethnic manipulation (Mamdani, 1999:21; Girling, 1960:55-81). It provided the social, economic and ideological foundations of the Acholi *macon*. *Gangi* were identified with an *abila*,

[213] Some *gangi,* according to elders were named after physical features because they were made upm of a number of ethnic backgrounds arising from displacements and the respect for each other values.

[214] Focus group discussion in Keyo Displacement Camp, Amuru District, in 2005

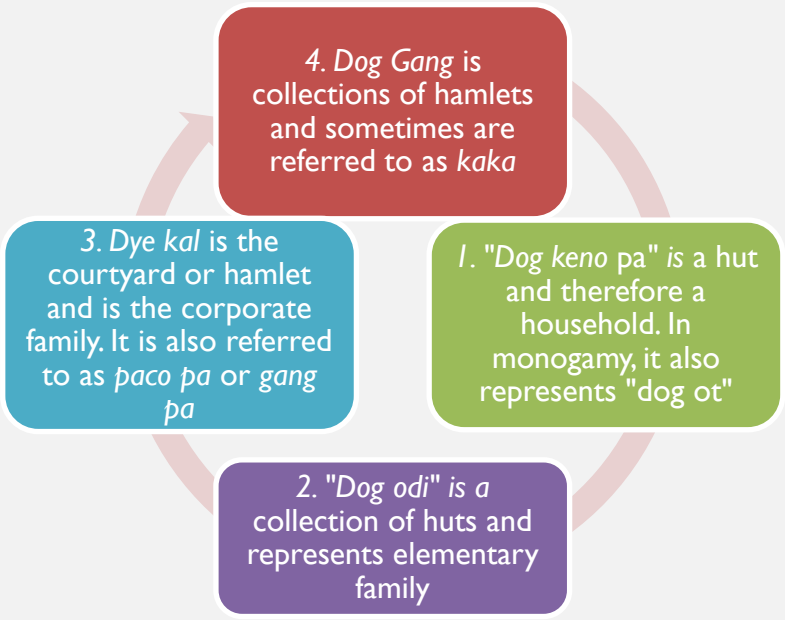
which was a shrine of eponymous ancestors that embraced a number of lineages, sometime as many as thirty. Although, *gangi* were heterogeneous in terms of composition and affiants, the organisational settings and functions were homogeneous (Girling, 1960:55-57).

Political infrastructures of the village or "*gang*"

Girling (1960) gave extensive narratives of the traditional *gang* life and settlement of the Acholi *macon,* which in this analysis describes the Acholi system that existed prior to but also in the early part of colonialism (Girling, 1960: 55-81). Regardless of the type, *gang* as a territory was a constellation of two homologous political units – *dog odi or keno* and *dye-kal* or *paco*. These were social-political networks of mostly primordial groups, *wadi obeno* - with putative members including women married into it (Oruni-Oloya, 1994 cited from Opiyo-Oloya, 2013:23; Shipton, 2007:12-20)[215]. *Figure 4.2* below shows a typical build up of a village or *gang*. *Gang*, unlike the "chiefdom", exhibited permanence because it was made up of lineages that recognised a common founder and thus, glued around primordial attachment and an *abila* that was an ancestral shrine celebrated by the entire group.

[215] Philip Oruni-Oloya (1994) submits that *wat* is Acholi's constitution. However, *wat* is just part of the constitution. As constitution addresses the different levels of the Acholi organisation, *wat* as a category of relations looks at the primodial (*wat remo/obeno* or kinship) and other related *wadi*. It is not necessarily about trustworthy. Rather, it is more about obligations and responsibility with or without trusts, that is, entrustment - as a given. *Remo* or *wat pek*, meaning blood or kinship is thick – heavier than anything else, therefore, is the thing!

Figure 4.3: A Diagram of Pakiri Village with Internal Settings



Source: Field Data, 2013

There are two important features of *gang* settings; one is the significance of the courtyards or *dye-kal* in governing interactions within the *gang* political setting. This is because *dye-kal* was a sub-system of *gang* that was a corporate or compound entity inhabited by primary *wadi obeno* (See also Figure 4.3). The compound family was a private holding, an inclusive group that paid allegiance to their *kac,* their immediate father, as their primary shrine. The second is the patterning and the positioning of the different *dye-kal* lineages under *gang* as a political system that was not only a force but also "the internal environment in which a lineage is associated, continues, and provide the internal environment" in which the other structures developed (Girling, 1960:55).

"*Dye-Kal*": Organisations and Settings

Structurally, *dye-kal* or *paco* was a collection of *dog odi* that identified with a *kac* of an eponymous ancestor. This makes *dye-kal* a lineage or an extended family of the male children (*awobe*) of a forefather, living or dead. In the past, *dye-kal* shared *wang oor*, a fireplace for evening social-political intercourse. Often, the head – *won paco* - was the eldest son of the founder. Girling (1960) further noted that *dye-kal,* by the 1950s, possibly had between one and thirty *dog odi* (Girling, 1960:8). To date, this has significantly changed. Southall (2004) refers to *dye-kal* in the case of the Alur tribe as compound family. This is because, typically, the unit was politically self-accounting to the kinship

arrangements at the *gang* level. It was a corporate family that was socially *autopoetic*. Some of the Acholi elders I talked to confirmed that *dye-kal* were the foundation of *gangi* agnates.[216] The number of *dye-kal* determined the strength of the *gang* polity. The females from non-related villages who were married into it became part of it, especially once they attained social status – *mego* – that literally enthrones respect and trust in them as acknowledged insiders. Through marriage, they became an item of the *kac* system of the compound family, to which they were ritually vulnerable when they diverted from the culture.

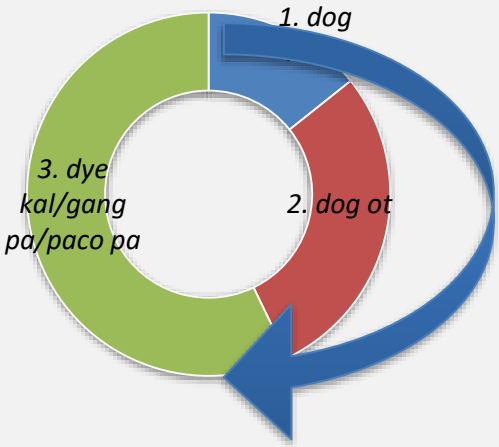
Governing at the *dye-kal* levels

Dye-kal was made up of the male children and their fathers. It also included the women married to it and the daughters. It was an operational level of corporate governance. Contextually, *dye-kal* – sometimes in Acholi referred to as *dog gola* - was complex in the sense that it was a convergence point for three or more lineage-based authorities, with competing priorities, cultural and political dynamics. These loci include *won paco* – who is traditional head of the lineage shrine, *paneyo*[217] - as the alternate authority from one mother's lineage, *won gang* – as the traditional authority of the kinship *abila* and the *rwot* - who for the non-core agnates was a distant authority deserving respect. But a woman married into it would bring additional power sometimes, depending on the political power of her agnate. Authority and order within this lineage level were built upon the values that are inculcated in the family.

[216] *Dye-kal* was also called hamlet or *paco*. Mzee Charles Alai gave an analogy of a *gang* as being a river and is fed by *dye-kal,* which represented the tributaries that fed the river and sustained it. The capability of the familial authority according to him was the most significant aspect of the organisation.

[217] I have discussed the role of *paneyo* (relatives from one's mother's side: her brothers in particular but also their parents) on the child in the later section. If *dye-kal* was corporate, *gang* was a communal level, while *kaka* was the political level of authority.

Figure 4.4: Dye-kal Organisational Architecture by 1898



Source: Field Data, 2013

Won paco was the agent-in-trust for the principals - the *wegi odi* or fathers of the huts, who were possibly his sons and his younger brothers. Girling's (1960) case study of *won* from a *lwak* agnate's household in *kaka* Payiira, demonstrated how pater, the jural, and the genitor on one hand and the physiological paternity on the other interface in the context of governance (Girling, 1960:31-33). *Won* had a duty and traditional authority to act in the best interest of these principals. *Won paco* ordered the practice of fiduciary duties, working with the various *wegi odi* to ensure lineage order and continuity in the lineage. He had the power and privilege to order and preserve the *kac* of his immediate forefathers. In the same manner, he had first and second order authority over the polity, which empowered him to protect, enforce compliance but also, to change or alter entitlements, including his own[218].

For quality, consistency and continuity of these important efforts, *won*, as a corporate leader, often used social power and curses to promote and enforce compliance, and to safeguard the integrity of the corporate family or the lineage. Thus, part of the obligations was to enshrine constitutive rights into operational behaviours. This ensured institutionalisation of social orders and

[218] A lot of this information was, however, gathered from group discussions and later a meeting I had with two elders [Opoka, 82 years and Okidi, 76 years] in a funeral in Palabek Kal this year, 2015. A married son from Opoka's family died living behind three children and a wife. I used family tree and historical profile to trace the history of wife inheritance in the family, to understand how it could still be practiced.

behaviours. Invariably, a child, it seems, was born *idog ot* but raised up *idye-kal* and *igang*. *Dog odi* were the first levels of individual governing interactions and several of them interacted, often in a gender segregated manner, in informing the governing efforts of the entire corporate family. These involved the self-governance and co-governance between a man and his wife/wives. Some interactions were gender-segregated, like hunting for the males, and thrashing millet for the females. Thus, governing interactions at this level took many forms.

It was at the *dye-kal* level that the management practices - the levelling of patrilineal practices and influences – interfaced with the realities and power of "foreign" culture from the women married into it. Often, these practices were contested, contradicted, and often reconfigured to reflect the elements of lived experiences that are moderated by marriages[219]. In other words, *dye-kal* provided opportunities for democratic practices, innovations and change. It also provided mentorship and fiduciary role to the households, educating, protecting and recapitalising the growth of *dog odi/dog keno*. *Dye-kal* was primarily for production, mobilisation, socialisation, and provision of security to both the family and the community in a gender disaggregated manner. It was self-accounting, with obligations to enforce compliance in patrilineal values and norms (Girling, 1960:21-30). Most of these tasks demanded individual governing efforts, but also shared, or collective governing interactions[220].

Some Important Features of "*Dye-Kal*"

The elementary family, the *dog ot* according to Girling (1960: 21-44), was vulnerable, dispensable and easily decimated with the death of the husband. Wife inherence, therefore, was obligatory, to ensure continuity of the lineage and to retain the use of a housewife as wealth in the *dye-kal*. *Dye-kal* was also a "legal" corporate holding, with settlement patterns embroiling strong cognitive ties around *kac* of the immediate ancestor. As a common property of an eponymous ancestor, it was supposedly self-contained: having its own economic, human and

[219] A number of revealing and very detailed discussions on how *dye-kal* presented a very dynamic ground for cultural mixing in three areas: Pabbo camp in 2004, Gulu town and Kitgum town in 2006. In all cases, it was certain that mothers had great influence on operational procedures and the contents of governance in Acholi's culture. *Dako oloyo nye ni,* normally used by older men, lamenting how their sons "traditional" orientations have been distorted following their lives with their wives.

[220] Focus group discussions held with the various *dye-kal* in Acholi from 2004 to 2014

social basis that it could stake for partnership rather than be subjected to the powers of other homologous political units, including the *gang*. Particularly, larger *dye-kal* like those of *rwodi*, were capable of influencing the contents of the *gang's* democratic process.

As such it was capable of evolving into a *gang* agnate, meaning, as a corporate entity, it was not obliged to comply with the other centres and in particularly, the *gang*. There is history of splinters of *gangi* all over the Acholi territory, as a demonstration of *autopoiesis* tendency. However, they retain the name of the *gang*[221]. This is the essence of *facultative mutualism* where, together with his mother's sons, *won paco* could form a new *gang* unit and institute the *abila* of the original *gang* to which they pay allegiance as an outgrowth of the founding *gang* compound[222]. This raises two significant political issues. One is the role of *dye-kal* in modernisation and two, the distribution of powers and the practices of governance including obligations by *gang* to these units – something I have discussed in Chapter Seven.

The Construction of *Gang* as a Governing Polity

Several of the related and putative *paci* lineages, each under their own *kac* and ranging from one to twelve, who shared a common patriarchal *abila* formed *dog gang* (Ref. to *Figure 4.1*). *Gang* was, therefore, first and foremost structural. It was also patrilocal and exogamous, that is, a politico-territorial aspect that acknowledged traditional authority (Girling, 1960:62). The oldest son of the majority*, ladit* who was *won gang*, was the agent-in-trust of *gang* as a polity and was also the head of one of the *dye-kal* that formed it. Bere (1947) and others wrongly referred to *gangi* as sub-clans. Sub-clans are lineages, which in this case are *dye-kal* or *paci.* Put differently, *gangi* were special political institutions that mediated interactions of the lineages that formed it[223]. Its political authority and legitimacy were demonstrated by what outsiders could observe.

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[221] My own clan, Pakiri is found in six different locations in Acholiland. In all these circumstances, they are recognised as Pakiri. This is similar to other cases, which Bishop Ochola discussed with me.

[222] Interviews with Rtd. Bishop Ochola, 2004

[223] Rtrd. Bishop Ochola built on my earlier discussions with several other elders by illustrating these relationship based on his own clan, the Pabit

Gangi were also social institutions: networks of internal power relations – that embraced kinship, both primordial and putative, what the Acholi refers to as *wadi obeno/remo*[224]. *Gangi*, therefore enabled, and constrained, the actions and the common intentions of the different *dye-kal* as governing structures. This included things like relationships – who to marry and not, who to associate with and not. As organisations, they uniquely defined their roles horizontally through bonds with the *dye-kal* as part of the fiduciary duty but also bridging ties with other *gangi* or *kaka* either through social interactions including marriages, hunting and trade – as part of its *facultative* engagement (Girling, 1960: 165). However, *gang,* as an institution was incapable of changing or transforming the individual structures of the *dye-kal* as corporate families because these structures were political actors and corporate entities with distinct individual interests - with *kac* as their guiding totem. For instance, Girling (1960), in recognising the institutional role of *gang*, acknowledged the role it played in socialisation and therefore the growth of children from the different homesteads. In doing so, *gangi* facilitated the individual units of governance, by calibrating normative social orders and enforcing the habit through practice, mentoring and reward. In other words, *gangi* were *bonafide* relational structures (Fleetwood, 2007:25-30).

Nevertheless, because the governing structures were subjects of human actions and were, therefore, distinct in terms of interests, they were politically independent and were capable of making political choices. For instance, it was very noticeable that adoption of agricultural technologies including enterprises, were mediated independently by the different homesteads[225]. Similarly, it was also true that choices for education or religion affiliation were at the discretion of the individual units. These were some of the irreducible aspects of the network.

Gangi were therefore drawn, reproduced and transformed upon by individuals within the different *dye-kal* as well as the *dye-kal* as political actors. However, as social structures, *gangi* could sometimes - although often would not

[224] *Obeno* is an Acholi word for a cloth used for carrying babies on their mother's back. Thus, a relative of *obeno* symbolises shared motherhood and that is why it is *remo,* which is blood or genealogical. Wat obeno sometimes is also expressed as *wat dot iwek,* meaning a relative that you have shared milk from common breasts.

[225] In a number of focus group discussions, these issues were raised. For example, when the Christian Missionary Society established a church in Keyo in 1904, most people who were persuaded joined the church. However, later with the coming of the Catholic Church and their latitudes to take away children and keep them within the missions, villages became divided in making these choices.

- transform or change the intentions or actions of the *dye-kal* as internal components. This aspect became very evident especially during colonialism, when security of life became the object of the state and not the agnates. Simply, public goods and, therefore, only public rules could be applied by *dog gang* in enforcing activities at *dye-kal* levels. Thus, there were influences in decision-making observed in the patterns of behaviour of local political actors, and they were not necessarily explicit in their public explanations of their actions (see: High *et al.*, 2004).

Governance at the "*gang*" level[226]

Two specific governing tasks or practices can be identified at the *gang* level, namely: rituals and administrative tasks. In both cases, the elders or their equivalents led this content-based practice - to communicate, preserve and inform the agnatic social-political values system, and enable fiduciary duties and relationships with other agnates and *kaka*. The administrative tasks, however, were shared with members of the corporate level, involving older siblings, peer groups, nominated individuals like the sister of one's father, *wayo*, and mother's brothers, *nero*, who often were the first line administrators on cultural behaviours. Children played significant administrative roles in household governance, which modernity erroneously categorised as child labour.

Noticeably, most governing interactions at the agnatic levels were gender and age disaggregated. They included instructive, interference and interplay, because *won gang* was mainly a ceremonial leader, effectively supporting conflict mediation and resolution and responsible for traditional rituals at that level. *Gang,* as a social-political level, represented two important traditional political authorities: one was familial authority at the *dye-kal* level and the second was kinship authority at the *gang* level. It was also a convergence of sets of cognitive and patriarchal contents flowing from the lineages that made them. Politically, its major task was to ensure consistency in the social purpose and in the social content of what defined the interests of its principals, which were the ancestors. As such, *dog gang* was a governing nexus where familial and kinship ideologies and practices converge with the politics of consociation at the *rwot*-ship level.

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[226] Most information regarding *gang* as an institution and organization was collected as primary data from elders, to validate what has been documented elsewhere.

Gang's normative contents were expressed by kinship practices of socialisation and fiduciary obligations, as was evident in collective actions, including joint cultivation and hunting (Allen, 1998). Most interactions were collaborative, mainly among the brothers' corporate families, but also hierarchal between the different age groups and sometimes gender. There were often contradictions and governing praxis that demanded careful balancing and handling of the group. The normative and purposive contents of *gang* as an identity often imposed obligations on its members. *Won gang*, used combinations of familial authority, or social power and motivations, to garner followings and compliance. Since *dye-kal* were corporate and "independent" communal holdings, some level of consent was desirable for soliciting their political participation[227].

When Crazzolara (1951:69-72) remarked that the history of Acholi clans was the history of quarrels, he simply illustrated the central role of consent as a pre-condition for legitimacy. An authoritarian *won gang*, which was also common, resulted in breakaways of the corporate families from the territorial settings of the *gangi* (Girling, 1960:63). Those that left often retained the original *gang's* name while in another domain or *kaka* (Girling, 1960:63). Migrations, as we show earlier, were also triggered by a search for safety, fertile land and other binding reasons[228]. *Gang*, however, provided the forum for the articulation of kinship relations, authority and characteristics. It was common to associate specific characteristics with *gang*. These included dancing, hunting or even beauty. To this end, Girling (1960:67) acknowledged that while children were born at the *dye-kal* level, they were socialised and grew up in the villages.

Governing activities were often shared between these levels, thereby requiring leaders who are interactive to be capable of handling each other with

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[227] Interviews with Charles Alai, Kwarmogi Anywar, Abondio Odiya of *kaka* Palaro, *kaka* Lamogi and *kaka* Patoko

[228] There are agnates with similar names spread across Acholi, which is an additional clue that there was interaction among the people who now occupy Acholialnd, namely west Acholi (Gulu) or in east Acholi (Kitgum). For example, there is Bobi in Gulu and Bobi in Padibe in Kitgum. There is also Koc in Gulu and Koc in Labongo in Kitgum, Payira in Gulu and Payira in Kitgum, Lamogi in Gulu and Lamogi in Agoro, Lokung, and Madi Opei in Kigum. There is also Pachwa in Gulu and Pachwa in Mucwini in Kitgum, Parabongo in Gulu and Parabongo in Kitgum, Alero in Gulu and Alero in Madi Opei in Kitgum, Pabo in Gulu and Pabo in Madi Opei in Kitgum, Atiak in Gulu and Atiak in Madi Opei in Kitgum, Patiko in Gulu and Patiko in Madi Opei in Kitgum.

respect, balancing issues and forcing consent to rule decisions. At all levels, senior elders were entrusted with such tasks (see: Burke and Egalu, 2011). Most governing results envisioned at these governing levels were enhanced collaborative outcomes in security of life and social preservations and ensuring social justice. In other words, the importance of an agnate was measured by their ability to provide food and protection to members as well as ensuring social justice to all[229]. As such, governing activities attempted to promote the growth of political social capitals, higher networking and entrustments.

Kaka – Social-Political Organisation

Acholi's expression for each of the governing levels is *kaka*[230], which implies the qualitative description of the contents and context of cognitive relationships envisioned. For instance, a man uses the term *kaka* to describe all forms of relationships combining his corporate, communal and political levels of governance (Allen (1998:56)[231]. The man's maternal *gang*, that is, his *paneyo*, is literally not his *kaka,* looked at from the patrilineal point of view. *Kaka* in this study first refers to a consociation of *gangi* agnates, but also to the ideas that modelled the association. A woman's *kaka,* on the other hand, includes *wadi* that were from her husband's (Allen, 1998:56). This situated a woman's support system over an extended domain. Girling (1960:9) referred to *kaka* as domains while Atkinson (2010:69-70) and others (e.g., Allen, 1998: 54-60) referred to them as chiefdoms. In this study, *kaka* is seen as the macro-level of community

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[229] Typically, the "mwoc" or flirtatious boasting by both male and female from a given agnate often expresses these form of achievements. Example of such flirtation boasting I came around was from Panyagira clan in Patiko – "*Kabedo abeda yee, kamato cak lokulu mangic".* This implies that when you are married to a man from Panyagira, you do not labour like in other clan digging. Instead, you relax, enjoying cold yourghut because these were cattle keepers.

[230] "*Kaka"* in Swahili means brotherhood. Key respondents indicated that *kaka* was used to describe the fiduciary duties of the different agnates that constituted the consociation. Hence, brotherhood was the slogan. Most, when informed of the Swahili version, felt that it is probable that the Arab slave traders might have introduced this word to the region.

[231] Tim Allen (1998) for instance sees *kaka* as restricted to genealogical lineages, which is not correct because evidence from some cases shows that *kaka* is more than relatives. Similarly, *kaka* Acholi as a community is a collective, believing in common outcomes. It represents all levels of relationship as further discussed in Chapter Five.

governance, before the Acholi identity was created. It is used mainly instead of chiefdoms as explained later.

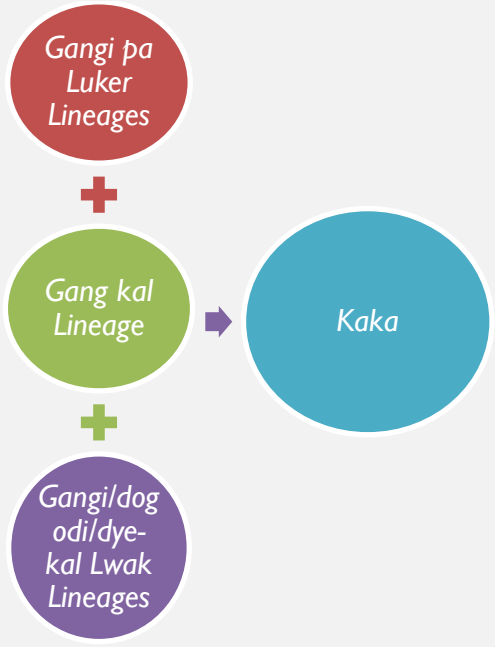
Kaka like *gang*, were structural and territorial. They were patrilineal at their core and also patrilocal (Girling, 1960: 8). K*aka,* however*,* were not necessarily exogamous as claimed by Atkinson (2010: 106-134). Atkinson also avers that chiefdoms were "distinguished by recognised social, political and economic functions and were marked by the only explicitly delimited boundaries" (Girling, 1960: 262). In other words, contrary to what Thomson (2010) insinuated, *rwodi* and *ludito kaka* did not broadcast power because their governing territories were well defined. Each *kaka* was clearly distinguished from each other by some governing attributes that included size of population, internal cohesion and the form of fiduciary duties each agnates had with the others.

Political structures of *kaka*

In order to understand how social order was maintained and established territorially, this analysis looks at *kaka's* political structures as comprising functions, relationships, responsibilities, authorities, and communications (see: Sexton, 1970:23; Radcliffe-Brown, 1961:xiv). *Kaka* varied in structures. Some were larger, with average numbers of agnates of twenty-four to thirty-four. Other, however, were small, comprising less than five agnates in total (Atkinson, 2010:339-342). Thus, inter-*kaka* interactions that existed varied with internal powers, however, most aimed at resolving the contradictions in governance arising from both internal and external logics (Girling, 1960:120).

Structurally, there were three polities, namely: *gang kal* – which was the homestead or lineages of the *rwot moo*, *gang pa luker* – which was the homestead or lineages of *rwot's* kinsmen, and lastly, *gang pa lwak* – which was the non-core agnates, combined under different kinds of incentives, to form a political organisation, *kaka (*see: *Figure 4.5)*.

Figure 4.5: Lineages as Components of Kaka Governance System



Source: Field Data, 2014

The *rwot* and *luker* homesteads constituted the core-agnates. Except for the *lubong* lineages as a class, the three political constituencies that formed *kaka* had, supposedly, equal interests and significance in the territory (Girling, 1960:51-52). Each of these political blocks was governed under the jury and familial authorities of their individual lineage head. It was the nature of interactions among the three constituencies that defined the political authority of the *rwot* (Girling, 1960:84). Where the *luker* as agnates were large, the facultative relationship they held with smaller non-core agnates, as seen in the case of Payiira, was varied with the *rwot* at the helm of the agreement.

The *luker* agnates recognised the authority of their headman and agnatic kin, the *rwodi moo*. The *lwak* agnates, on the other hand, accepted *rwot's* rule only when it was in their interest to do so. *Rwodi*, or the majority of them, struggled to restore order, rather than direct enforcement of laws, a contentious action that was best done at the agnatic levels (Girling, 1960: 104). In the circumstance, hierarchy and markets were luxuries that could not be afforded. Hence, effective ways of community governance was by the sharing of governing tasks, based on what can best be described as the competitive and comparative advantages of the governing actors.

However, the quality of the interaction, as Allen (1998) observed, was judged by a number of factors. First is the internal political dynamics within the *luker* agnates. In cases where the core-agnates were dominant, the non-core agnates provided some important balancing bodies in checking the ambitions of *rwot's* brothers' lineages within the territory (Girling, 1960: 121)[232]. Atkinson (2010: 84-87, 90-103), however, contends that there were limited cases of internal rivalry in Acholi leadership struggles[233]. It was jury and familial authorities, which determined the extent of *ker* as a political regime that defined the political realm of the nucleus agency.

The *ludito kaka* constituted the governing council of the consociation, chaired by *rwot,* who co-managed the new outfit based on consents. The non-agnates would continue to choose their own leaders without interference of the core-agnates (Dwyer, 1972:30). It was this council that interpreted to *rwot* and other headmen the lineage rituals and carried out dispute resolutions and conflict mediation in the *kaka*. *Daker* was an important actor in the governing decision at this level. She was the only person that could flag off warriors in pursuit of social justice, once the council had endorsed the action[234]. This general and heterarchical relationship meant that specificity in governance existed among the political blocks that formed the polities. As an organisation, the *kaka* establishment followed that of *gangi* in the politiogenesis (e.g., Allen, 1998; Atkinson, 2010:66-72). Scholars assert that environmental pressure - successive droughts and the accompanying famine and civil strife – but also economic logic mediated the establishment of *kaka* as a higher governing organ (Atkinson, 2010:261). As such, *kaka* had some common element of governance that combined social-political and economic factors. First, it was organisational in

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[232] It should be noted that individual households, compound families or villages could seek protection from any stronger unit and in return pledge allegiance as a real or fictional affinal relationship

[233] Within the *kaka* Payiira, Alokolum became a splinter group of one of the sons of Rwot Camo, who contented that his right to the throne was undermined. According to Uma-Owiny (2013) Alokolum – which means "I have changed the grass", developed as a non-core agnate outside a kaka Payiira.

[234] Odongo-Onyango explained to me how such decisions were arrived at. He stated that *ludito* from all agnates under the *rwot*-ship would attend the decision meeting in the homestead of the *rwot* (*gang kal)*. *Rwot moo* as the chair would call on each lineage (*gang*) by name and a stick would be passed to them. Upon receiving the stick, the head of the agnate would hand it over to their spokeperson who would then present and argue their position as a unit. And the *rwot* would inquire from such units if that were the position they hold as an agnate, to which either agreement would be reached or not.

which agnates related first and foremost to core-agnate, a relationship that defined brotherhood rather than subject-ruler realm. Secondly, there were the contents of such relations that embraced economics, security and politics, allowing each agnate to practice its traditions of worship. Thirdly, there were the public goods that were collective and effected by the heads of the different agnates on behalf of the *rwot*. This included public relations for enhanced security with the neighbouring *kaka* and political entities, food security and peace.

Some respondents felt that *kaka* was a "marriage of convenience". Whenever the weaker agnates figured out better and more rewarding options to their pressing dilemmas, they were not forced to stay in the consociations. Atkinson (1999; 2010:70-72) agrees that memberships to the chiefdom were impermanent, as disgruntled agnates had the right to relocate to other territory as it so wished.

Acholi leaders[235] had a considerable preference for large groups. Both large households and clans were seen as powerful as they were better equipped to overcome their tribulation, such as physical insecurity and famine. The need for strength in order to address their adversaries also became an important incentive for swelling up numbers through consent and coerciveness. To this end, zonal leaders emerged, the like of Rwot Camo, Rwot Olya, Rwot Ogwok and Rwot Aliker, who through accumulation of political power used their numbers to extend their leadership over the smaller *kaka* within the zones. Their political power were largely portrayed as human resources, allies and ideation, the latter resonated into *kaka* as an ideology that accounted for the changes experienced in the culture of Acholi by 1989.

It seems therefore that the political consociation of the agnates took mixed strategies, some violently. However, based on the nature of the political legitimacy that ensued in the majority of cases, there were benchmarks of acceptability to the legitimacy of the core as well as some justification of political

[235]Leaders were generally considered as *ludito* or *lutela* as we will see later. However, *"dito"* was a descriptive label for status that was a continuum from weak to absolute. *Ludito's* political bases were unstable. Other than as authorities of the patrilineal-based custom, they had a limited information base in some other specific areas. This made the other leadership traits – the material and ideation - that were found elsewhere within the society, important. Hence, there were different kinds of *rwodi* and *ludito* within Acholi, all recognised for their specific attributes as discussed later.

power or authority by the core agnates and the corresponding obligations to them (Dwyer, 1972:29-31; Girling, 1960:60-94; Atkinson, 2010:85-89)[236]. This is because, whenever these conditions were no longer pertaining, the non-core agnates were known to have shifted allegiance or in many instances, refused to oblige to the authority of the core agnates (Girling, 1960:100-103; Atkinson, 2010:92-94). In other words, unlike in the case of despotism, where systems had outright authority over the others, here the dominant experiences were based on a mutually reinforcing demand for coalition (Atkinson, 2010: 84-87). As such, *kaka* were "coalitions of the willing". Its process of fluctuation in the number of those willing was irreversible source of (dis) order. While some, like was the case of *kaka* Payiira resulted in stronger consociations, in some cases, it led to disequilibria (Girling, 1960:111-113).

Atkinson's (2010:92-94,105-260) views are also that political legitimacy of the core-agnates emanated from the practical experience some of these traditional societies witnessed in the cause of their existence. He argued that non-agnates had beliefs and faith in the political leadership of the often-larger core-agnates. This emanated from their larger than usual political bases, the charisma of their leaders, and normally their long history of successful governance. In such instances, the non-core agnates pledged total loyalty to these *rwodi moo* in return for their protection. There were also cases of absolute assimilations by these *luker* agnates instead (Girling (1960:114-115)[237].

Kaka Payiira, like other larger ones, also used conquest in some instances as a moral justification of political obligation of the non-core agnates (Atkinson, 2010, 1999:85. In the case of Payiira under Rwot Awich, this became a strategy in the late nineteenth century, which led to considering it as a *de facto* authority of the Acholi without being legitimate (Baker, 1874:Location 4898). *Kaka* Payiira perceived right to protect smaller *kaka* created obligations that were honoured by those *kaka* that benefited from it. However, these actions, argues Uma-Owiny (2012, 2013), were met with consent, because Payiira is known for having not annexed these entities. Rather, it set to establish systems following the exit of the Nubian troops, who had destabilised the area. This, arguably,

[236] This analysis was part of our dialogue with a number of elders but this same idea has also been expressed by Dwyer, 1972 and Girling, 1962 and Atkinson, 2010

[237] Often within the luker lineages, there are lineages that represent these groups who are generally grouped as lubong. As Girling (1960:114-115) observed, they - like the rest of the *luker* agnates - can assume leadership of the agnates

suggests that *kaka* as a governing realm was championed more on the path of brotherhoods - heterarchy as a means to avoiding internal conflicts over governance.

Implicit and explicit in the argument by Atkinson that underscores market-based consociation are the concerns about quality, form and type of the negotiation as well as the outcomes that emerged out of such a competitive and incentive-based approach to partnership (Atkinson, 2010: 86-89). This is important, not only because it contradicts the hierarchical model discussed in the conceptual frame; but also because as an alternative form of civilisation, it proves that civilisation existed and grew out of diversity, pluralism and multiplicity, which supposedly was the core value of evolution (see: Kurtz, 2004; Claesen, 2014). In this situation, non-core agnates retained most of their social identities and co-governed the new political establishment with the core-agnates. The politiogenesis took a long while, starting sometime in the fifteenth century (Atkinson, 2010: 89).

Very few *kaka,* it seems, had a monopoly to dominate ethnic-based lineages for the reasons provided above. This had its pros and cons. For instance, Crazzolara (1954:459-474) writes that nine *gangi* representing three distinct language groups formed *kaka* Lamogi in western Acholiland in the nineteenth century (Crazzolara (1954:59-474)[238]. These language groups are the Central-Sudanic, the Eastern Nilotic and the Central Nilotic (Crazzolara, 1954:459-461)[239]. This collectivity featured *autopetic* interest of the language groups. The passion for ethnic independence made *kaka* Lamogi a fierce group, with combined war technologies and bodies of warriors representing these diverse groups[240]. This pattern of consociation implies that *kaka* Lamogi, unlike

[238] Lamogi as a clan group or *kaka* was the largest clan group in Acholiland. Lamogi was found in several places in East Africa including Kenya, where they were called Ramogi. This analysis refers to the Lamogi groups found in the western part of Acholiland. It should be noted that following the amalgamation that started in 1902, Lamogi found in western Acholi became a sub-county with eleven rather than nine agnates within it. Smaller kaka of Pagak, Parabongo and Toro were incorporated, to make eleven entities.

[239] The nine agnates are: P'ojwani, Pamuca, P'okure, Boro, Pailyec, Koch Adacha, Pangur, Palema, Pagoro.

[240] This revelation was made in a meeting by an elder, who indicated that the mainly Madi and Moro groups used bows and arrows in addition to being smart blacksmiths. The other lots from Eastern Nilos were very mobile and fast spear throwers.

Patiko or Pajule, was more decentralised at the ethnic level and therefore dispersed. This feature of "diffused power" gave even the British some hardship in controlling them (Adimola, 1954). *Kaka* formation and development, particularly towards the end of the nineteenth century, had evolved into a number of models in response to the environmental and political context that had defined the eight political zones described by Atkinson (Atkinson, 2010:105-134).

Territory and Geography

Territory is *lobo* in Acholi. It is about belonging to *lobo* Acholi, or the territory of the Acholi. On the other hand, *ngom* refers to soil. *Ngom*, therefore, was more about settlements, the security and the use of *lobo* by the Acholi settlers. As such, *ngom* defined the tenure regime, whereas *lobo,* or territory, on the other hand, explained the geographical space and aspects of Acholi's settlement, which were a mix of neighbourhood, lineage and kinship-based (Girling, 1960:82).

Girling (1960:84) contends that the social units – *dog odi, dye-kal, gang* and *kaka*[241] - that made up the traditional Acholi political order were structurally homologous, meaning they had similar internal governance arrangements and were also distinct and separated from other units by some definite physical features. This feature as we will see later, became the confusing factor in labelling of the various governing entities. Earlier ethnographers and historians were forced to categorise some levels of governing entities as *dog gangi,* or *kaka*, without giving attentions to the core features of these levels (Atkinson, 2010:105-134).

Rights to territory and land as property

In understanding rights and shared responsibilities between the different and homologous governing entities, I present below my understanding of how these entities claimed interactions in the governance of land. *Rwot* as father of *kaka* was *won lobo,* traditionally entrusted by the consociation with the obligation to determine occupation rights in the territory (Girling, 1960: 84). This, however,

[241] *Dye-kal* as a political unit was discussed in Section 4.3.1 and made up of *dog keno, dog odi* and presented as a corporate and self-governed polity under one administrative *kac.*

was obligated mainly in regard to the political security – an important function of governance that was also collective. Nevertheless, most of the core agnates, particularly those with Luo background, settled as secondary inhabitants in the present Acholiland (Crazzolara, 1954: 55; Girling, 1960: 82).

In such circumstances, *Rwot* and his clan members, were secondary settlers. Together with their *lubong* agnates, the *luker* in such circumstance would settle but seemingly with strong influence over the indigenous group. However, the allodial ownership was with the indigenous social groups, the *lwak* agnates. Girling (1960:82) referred to the leaders of such *lwak* groups as *wegi ngom* or the fathers or owners of the soil.

In other words, *ngom* and *lobo* were two distinct aspects of the Acholi's belonging. They were firmly linked to community governance with both individualised and collectivised autochthony. *Ngom* descriptively, was more about practices and uses of the soil. As such, it delineated a tenure regime – a social relation that proclaimed "original" link between the individuals, territory and the agnates – which were seen as self-evident, primordial and/or natural. *Lobo* on the other hand was the territory (Girling, 1960:82). In most *kaka*, *wegi ngom* were the people and the trustees were *rwodi* / *ludito gang*, who were individual elders of the different clan systems that formed the territory.

Ownership and political obligations

The basic tenet of Acholi's indigenous law was that all land (both in form of *lobo* and *ngom*) in Acholi had an owner (Girling, 1960: 231; Bere, 1947: 49, 53). This ownership, however, was tied to the different categories of claims and interests (e.g., security, hunting, food) and multiple holders (e.g., *kaka, gang, dog ot*). In fulfilment of the latter aspect, elders – *ludito kaka* and *wegi paco* - held the land in trust on behalf of their members for the generations to come – *man ngom pa likwayo* [242].

Rights and not ownership was derived from customs, norms and principles that were grounded in the political institutions of governance. The individuals and / or collective status of members were constantly under

[242] The view was that those who owned the land were the dead ancestors. "Ngom pa likwayo" literally means the land of the generations not actually born. Hence, ownership was by the dead and the unborn while the living were users and entrusted by the dead to hold land on behalf of the unborn.

negotiation most importantly, at the operational levels - the *dye-kal* and *dog gangi* (Blocher, 2006). This was especially true for the women who would exit and/or join the society. For instance, *pit* – translated as feeding / raising and therefore construction of the society - was an obligation of the parents. It was generally a concern for livelihood security: education, health, and participation among others. It was one aspect of governance that was shared as a right. All dependants see livelihood security as an entitlement that the community had to provide (Girling, 1960: 231; Atkinson, 2010: 92-95). *Pit* as a governing action, entailed mobilisation of individuals and households for participation.

Won ngom, as *won* or father of the soil, together with *Rwot,* the political leader of the territory, were two important political actors in *pito lwak*. As principals in the hierarchy of governance and with different rights and interests, they supported food security within the society by promoting group work - *aleya/awak* - as collective cultivation mechanism for *pito lwak*. Through continued negotiations, new rights of land use were acquired, including rights for new use types (cultivation, grazing, construction and giving) and for putative members to join.

The right to *lobo* Acholi as a territory was possibly invested in *Rwodi* as *wegi lobo* together with *wegi gang/paco* at the agnate level. To this end, they would vet all settlements of new comers into the domain. Arguably, settlements were permissible when it would augur well with peace and security, which was in the interest of *rwodi* but also the individual agnates. Although new entrants often came through members of the domain, *rwodi* had to consent to their settlement[243]. Other practical and additional interests were governing issues and dealt with by the actors at the appropriate and practical governing levels.

Land use rights and the obligations associated with them were, it seems, vested at the *dye-kal* and *gang* levels of governance more profoundly than at the higher level. While use rights were given based on descent, birth and putative relationships, allodial tenure rights, seemingly invested in the clan leaders, seem to have been superior to any other tenure rights. For instance, a protestant church site was selected at Keyo in 1904. Although Pamuca, Palyec and Pakiri

[243] However, I was informed that especially among *jo* Pabbo and Lamogi – because Boya and Mogi were brothers - clans from these two domains settled within these areas as they so wished. Often under such circumstances, the lower governing entities play a significant role in screening who can and who cannot.

agnates were the settlers in the area, it was the Palema people – the earliest settler and with allodial rights that had to consent to the granting of land use to the church.

Revisiting Writings About Acholi's Organisations

The first written description of the social-political order of the Acholi was in the 1860s. By this time, the imagined history of living in Africa and its realities were traumatic, conflated by economic interests, ignorance and arrogance from the western world. The narratives of most events and their interpretations were conflated by what Finnström (2008) describes as a combination of European hypocrisy and bare ignorance (see: Thomson, 2010: Location 457-478). In manipulating the realities of governance in the case of Acholi, the writers created a gloomy outlook of the arrangements, linking violence to an absence of internal authority. Here I look at three major areas of distortions in the discussion of social-political governing structures of the Acholi *macon*.

There have been difficulties in singling out the homologous governing entities by foreign scholars into the different contemporary anthropological and sociological terminologies, something that Girling admitted from the onset (Girling, 1960:8). Additionally, others had viewed *kaka* as stateless, suggesting that *kaka* lacked the differentiated functions we see in the so-called modern states (Richards, 1960: Chapter 7 and 10; Mamdani, 1996:Chapter 3). However, those who rightly disputed this claim sought to construct hierarchical relationships where they apparently were not logically possible (Atkinson, 2010: 138-139 and Girling, 1960: 166 figure 29). This conflict between the reality in *kaka's* organisational arrangements and the old age faith in despotism became the defining governing image of the Acholi society. It sought to remake elders who were status leaders into symbols of hierarchical political authorities and yet they were the symbols of traditional praxis with respected moral values for that reality. Their authority was applied in a hierarchical manner but only in as far as they were "influencing the actions of non-governors" (Kooiman, 2003: 24-25).

As such, scholars like Atkinson and Girling had to give undue attention to only one of the sub-systems - the core agnates – when discussing *kaka*. First, they represented them as a class hierarchy believed to have the knowledge of the entire societal traditions, which was not correct. Second, they were seen as

the archive of information about the other agnates because they were rulers. This distortion probably gave undue recognition of fiduciary duty to the core-agnates that probably did not exist. This is because elders were situated in every level of community arrangements. Each of them had unique and authoritative versions of the culture and customs of those political units. Thirdly, there were gross misconceptions of the Acholi political organisation. Perhaps one of the most noticeable misconceptions has been an over reliance on kinship structures in reshuffling community governing realm - *dog odi, dye-kal, gang* and *kaka*. These structures as observed by Girling (1960), were homologous, with noticeable forms of *autopoietic* attribution as a sense of self-identity. Certainly, there might have been some erroneous naming and re-naming of some of these entities, where larger households were considered as agnates.

In Chapter Two, the main features of chiefdoms as one form of community organisation were discussed. From the narratives, there are some incongruities with what pertained to *kaka,* which in most accounts, I have advanced as heterarchical. As discussed in Chapter Six, while leadership culture was not an imposition but mostly grounded on kinship, the *kaka* was a coalition of the willing that embraced variegated forms of *autopoietic* political systems and organisations.

Confusions in terminologies and meanings

Atkinson (2010:41-45) submits that the organisations formed by *gangi* agnates were called chiefdoms (see: Girling (1960:8) [244]. He sees chiefdoms as hierarchal, patrilineal, patrilocal and exogamous, with *rwodi moo* – who were sacred and hereditary leaders – as the "despotic" headmen of the organisations (Atkinson, 2010:2010:81). He further insinuated that chiefdoms were the extensions of the *lukal* or *luker* lineages, which were *rwodi's* genealogical lineages (Goran Hyden (2006:81) [245]. He refers to *luker* lineages as clans and the non-core agnates that were sub-systems of the "chiefdoms" as, therefore, sub-clans of these *luker* agnates. In a sense, he contends that sub-clans or the

[244] Girling (1960) realising the complexity of the organisation actually preferred to call these domains rather than chiefdoms

[245] Goran Hyden (2006) actually provides similar argument that, historically, state was often a mere extension of the households of a king. He further notes that welfare state, on the other hand, was an intricate creation in which citizens delegated their lives to bureaucrats.

non-core agnates were related to the core agnates and therefore, exogamous by principle of *kaka* governance.

I have relied on Achol wordings that explain these homologous structures, the practices – which are interdisciplinary in context[246] - and their technical and descriptive meanings and interpretations, to dispute some of these assertions for mainly two reasons. Firstly, I have seen first-hand the damage done by categorising *kaka* as chiefdoms because it underplays the very principle of the consociations, which were brotherhoods rather than rulers-subjects. Importantly, classifying *kaka* as chiefdoms denies academia the opportunity to get the flavour of characters and personalities one sees distinctively with the Acholi as a people compared with those from chiefdoms like the Baganda or the Banyoro. Additionally, the evolution of *kaka* as a consensual institution of governance should enable scholars like Allen to reposition their views on *mato oput*, which is a renowned conflict resolution mechanism. Allen (2006) submitted that *mato oput* was an invention of the modern time, while in practice, it epitomises the strong history that links peace making and beliefs in a unity of purpose, which is the *kaka* governing principle (see: Finnström, 2008:229-230; Dolan, 2011:51, 2005)[247]. The processes that Atkinson (2010:85-86, 148-152) has elaborated in the formation of *kaka*-dom, the ways the union was managed are quite suggestive of how negotiations and peace building were part and parcel of community governance in Acholiland.

Gangi were dominantly the political feature that littered the present Acholiland by 1898. These were human settlements that represented clan systems. As discussed earlier, *gangi* had two or more lineages although the sizes of these settlements varied and the common denominator of *gang* was a common shrine or *abila* of the eponymous ancestors, to which every associated household's *kac* was affiliated (Atkinson, 2010:76).

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[246] Here governance is seen in the context of legal, social and economic anthropologies as well as history, comparative politics and others.

[247] Tim Allen (2006) wrongly insinuated that *mato oput* was an invention rather than an age old practices of the Acholi people. Dannis Pain (1998) and others Finnstrom, 2008, and Dolan, 2011:51, 2005 – have written indepth analyses of the practice for better consultation.

Kinships in Acholi are *wadi obeno* or *wadi remo*[248]. These were genealogically and putatively connected and were exogamous. In Acholi, one would not marry within their *gangi* agnates nor from the *gangi* where their mothers came from, that is *paneyo*. However, there are many incidences of marriages within chiefdoms because the different agnates that formed it were not necessarily related. That is why *kaka* was not so much about primordial attachments but, more importantly, about ideation (Allen, 1998). Clans also varied by flirtatious names or *nying mwoc,* which are bragging expressions that described historical and political developments and connections of such a group[249]. In *kaka* Lamogi, there were nine types of boasting slurs that resonated with the nine agnates that formed it. Crazzolara concludes that *kaka,* which Atkinson termed chiefdoms, were actually akin to "tribes" and, hence, "clan groups" (Crazzolara, 1954:326, 546). His view that tribes were "clan groups" supports my assertion that *kaka,* as a collective, were not limited to the core-agnates, the *luker* as submitted by Atkinson (2010:41-45).

There are several reasons to suggest that chiefdoms were not entirely of common descendants and were *wadi remo/obeno* and exogamous. Chiefdoms, in most instances, had several *abila* designated to the different *gangi* that formed it. In the case of *kaka* Lamogi, there were nine *abila* corresponding to the numbers of agnates that formed it. This means that chiefdoms were formed by groups of different *wadi obeno* in the Acholi context and therefore were not exogamous. In fact, some people interviewed were married within their chiefdoms because they came from different *gangi* agnates. Atkinson's (2010:66-72) position regarding chiefdoms, particularly with regard to his claim that chiefdoms were made up of *wadi obeno* and therefore exogamous, and that clans are the core-agnates, are highly disputable based on the clarifications

[248] Kinship here is defined as a relationship that existed between legally recognised social groups that shared a genealogical origin; through biological, cultural, or historical descent with the principle intention of creating social obligations that are enforced through codes of ethics. This I also called agnates.

[249] Flirtation or *mwoc* were elaborate expressions of one's identity. In Uganda it is referred to as swag. While it expresses ones belonging to the various clan relationships, it specifically identifies one with special traits in life. These range from courage to wealth.

provided by Crazzolara (1954:325-326), my respondents and my own first-hand knowledge[250].

However, the existence of exogamous relationships did not simply imply blood relations. In the case of Acholi, putative clans who for social reasons accepted to share intimacy with another may refuse marriage between them, to forge brotherhood or *wadi obeno*[251]. In this sense, Atkinson would be right that clans that are affiliated as putative clans to the core-agnates became part of the core agnates as putative clans. However, there is no case known thus far where a *kaka* is formed of such groupings. From these observations, two things are certain. One, that there has been confusion over what clans as an identity represented. At most, clans as kinship relationships recognised an *abila* and as long as that existed, they would be clans rather than sub-clans of the core agnates. *Dye-kal* or *paco* were sub-clans. This is because *kac* as their shrines were subsets of *abila*, which united all *paci* under a given *gang* polity. From Crazzolara's (1954) point of view chiefdoms were clan groups, not clans supplemented by sub-clans, as I seem to understand from Atkinson's works. Furthermore, in terms of organisation, *gangi* were not necessarily lineage-based as scholars have maintained over the years. Rather, *gangi* were settlements with core and non-core lineages – even though in the case of *gangi*, non-core lineages were limited (see also Girling, 1960:21-44)[252].

Atkinson (2010), and other experts on Acholi matters used the term lineage-based authority when discussing village-based governing authorities (Allen, 1998; Bere, 1947). For the reasons that I have elucidated, I have followed Spiegel's logic, which Atkinson (2010:77) said was personally communicated to him, that "lineage" has a restricted formal meaning and tribal mixing is predominant and overshadows the genealogical establishments (Southall, 2004). Since almost all villages were multi-lineal, especially following the flux in the area, it would be convenient to use a term that is more encompassing, which I argue is

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[250] My father, a Pakiri from Lamogi was married to a woman from Pukure of Lamogi. Similarily, my father's sister from Pakiri was married to a man from Pamuca from Lamogi.

[251] Based on interviews with Ladit Binoni of Pakiri and building on my own understanding of the two groups, the Pailyec and Pakiri agnates in Lamogi for instance until recently were exogamous. In addition to some existing respects by each of the two agnates of the lifestyles of one another, the environment cultivated deeper and brotherlier intercourse that forced elders living within the territory, to impose anti-marriage Act within the two groups.

[252] Interviews with Ladit Binoni of Pakiri clan and Rtd. Bishop Ochola.

agnate. This, too, underpins the importance of an interdisciplinary context as, in doing so the analyses underscore a broader context in societal groupings that endure systematic categorisation.

The core agnates, Atkinson (2010) submits, were significant social groups, often numerically superior but also economically stronger (Girling, 1960: 21-41). However, they were not necessarily superior, or royal, as was the case of chiefdoms as discussed in Chapter Three. The *rwodi* were sacred, with special skills for rainmaking in a drought prone area. This trait of rainmaking made them unique and special leaders of the entire *kaka*. These were cherishable traits of a leader under the circumstance: special attributes but not necessarily majestic as some scholars have attempted to portray.

These clarifications, particularly regarding the political structures, have important implications on the actual number of chiefdoms and clans that scholars claimed existed in Acholi prior to or by 1898. The number of chiefdoms or *kaka* that supposedly existed by 1898 varies, based on the different sources. Atkinson claimed some seventy eight, Okot P'Bitek talked of thirty-eight, while recently, *Ker Kwaro* Acholi, the reconstructed forum of *Rwodi* Acholi, argues that there were forty eight *kaka* by the turn of 1900 (see: p'Bitek, 1977 cite from Finnström, 2008:54 and Atkinson, 2010:75-78).

In closing, the reconstruction of the Acholi identity based on lineages after three episodes of prolonged civil strife requires some deeper consideration if, that is, lineages are primordial attachments. Displacements, the interpolation and mixing of social groups, and both involuntary and voluntary migration, particularly in the mid to late nineteenth and part of the twentieth and now the twenty-first centuries, are good reasons for this assertion. Unlike the recent past, there were no organised settlements – either in transit camps or internally displaced camps of displaced persons. The 1902 to 1913 forceful dislocations were political and internal to Acholi and there was no support from the UNHCR or any GHROs in the identification and registration of displaced people[253]. This is because they were not active in such matters then as they are today. Even during the earlier displacement of 1862 to 1875, there is no information regarding

[253] Non of the respondents I met with including the numerous visits I made to the people of kaka Payiira and Alero did I get any feeling that there were Red Cross or UNHCR engaged in supporting this project in the early to mid 1900

the returnees of the Acholi origin, who dispersed into Bunyoro, and their resettlements in Acholiland.

Concluding Remarks

This Chapter integrates interdisciplinary insights that draw heavily from the plethora of historical narratives on Acholi political history since 1898. The Chapter uses historical facts to integrate political, social and legal anthropology to argue that traditional Acholi was complex and diverse. It avers that *kaka* evolved as durable institutions through constant compromises and negotiations, constructive peace building and governing interactions among diverse *gangi* agnates. The political context, experiences of disunity and the benefits of the economy of scales made this experience desirable.

Diffused power, however, worked against centralisation and also weakened the macro-level decisions on some very vital issues, including security. It did, however, strengthen cognitive ties where jury and ritual authorities crowded out the political authority of the *rwodi*. Most attractive incentives for consociations, it seems, rested on the combinations of descriptive and normative legitimacy – the charismas of the *rwodi*, the faith members of the agnatic societies had on the *rwodi* as their natural leaders - but all these depended on consent, courage and freedom for the agnates to continue to pay allegiance to their eponymous ancestors at the *kac* and the *abila* levels respectively.

Where political legitimacy worked, as in the case of Payiira and Pajule, it was driven by regime type and by the capability of the regime to deliver on the conditions that forced others to join with them. As such, *kaka* at the macro-level of governance should not be considered as chiefdoms. They provided an innovative model that valued intellect and dialogue and abhorred repressive regimes. In other words, *kaka* was a mode of community governance and a political ideology. Its essence was the exploitation of social-political structures - the competitive and comparative advantages of the participating *gangi*. The relationship was a form of *facultative mutualism*. However, it was not necessarily symmetrical by nature. Due to the fragile nature of the environment, entrustment rather than trust defined the relationship with economics and *hegemonic acculturation* as motivating factors.

Chapter Five – The Infrastructure for Community Governance

Introductory Remarks

The institutional infrastructure discussed here refers to the set of community governing arrangements that existed in Acholiland from 1898 to 2010. In this study, two fundamental distinctions have been used in assessing these institutional "realities", one of which is an "institutional construction". Here, I have explored the shift in the governing image of the different political arrangements based on normative and cognitive values articulated by those who either lived it, or were told about them. Hence, institutional construction reports on the factors and changes in the governing practices of the governing arrangements over these years. The second distinction, on the other hand, is concerned with the functional mechanisms of these governing systems, namely, the norms, values and rules that mediated social-political interactions. In this case, I have explored how the Acholi have responded to new practices brought about by the differing political events that fall within the period under review.

In exploring "institutional construction" in this study, respondents were guided to critically evaluate the quality of governance that was exhibited by the principals on one hand, and the governing arrangements, on the other. This was based on some selected indicators as shown in *Table 5.1*, below. Quality in this case is considered a normative and cognitive value of community governance. Quality of governance in the study is the goodness of the rules; the fact that it was embedded in the society and therefore responded to their needs. Even if it did not, it was understood by the majority that the principals and the society were in agreement that the experiences were inevitable. Hence, the indicators explain how respondents perceived and/or felt the outcome of the interactions exhibited by different political systems and actors. Where those interactions were mutually reinforcing, influencing and supportive of their interests, it was rated or reported as good – suggesting that a particular institution was well embedded in the community. This is because these institutions were seen, felt or perceived by the respondents as having been responsive to the interests of the Acholi community. However, it was poor or bad when the contrary was reported as evident.

I further categorised institutions in this study as traditional, informal and/or formal. Traditional institutions refer to the indigenous *kaka* governing

structures and systems - the organisations, norms and cultures that directed its operation – noticeably, the fiduciary and the facultative mutualism cultures of the governing realms that categorised its practices (e.g., Alasuutari, 1995). The formal institutions, on the other hand, are imposed on the Acholi because they aim to transform the society into a political community that is subordinated to the state. As such, they are seen as rational and therefore legal. They include the contemporary organisations - the state and its analogues, the international Civil Society Organisations (CSOs) and their kind. These contemporary institutions were governed during the colonial era by what I consider were the colonial customary laws. These colonial rules, as was explained in the contextual chapter, fused some elements of the western democracies – particularly those relating to the ideals of political legitimacy - and the despotic traditional African versions found in the chiefdoms (Mamdani, 2002:1-5). The subsequent rules that were enacted during the post-colonial era reflect in most instances, these founding customary laws but also some improvement towards what in the contemporary world is seen to enshrine modern statehood. However, as a state, Uganda remains a neo-patrimonial outfit and as such, it is quite distinctive from a modern state (e.g., Onyango-Oloka, 1996). This is because of the manner in which power is centralised and personalised by the governing political principals. Informal institutions are behaviours that are neither traditional nor formal. Rather, they are innovations that have emerged to fill the void created by the inadequacies of the two primary systems.

The significance of traditional institutions in this case is that they are indigenous male-dominated cultural practices. Their ultimate goal was to maintain a status quo of lineage-based authority–ideally the *autopoiesis* of the *dog gangi* Acholi (Alasuutari (1995:25) [254]. The informal institutions on the other hand, were dominantly networks of local and indigenous organisations and actors that exist within the Acholi system. Peer groups include the youth networks (*bulu*), private sector practices like the *ajwagi* –who were the healers and fortune-tellers. In the later years, these structures were reconstructed by donor funded international NGOs and they advocate for specialised interests of the different categories of the Acholi people. Government and its functionaries, however, form

[254]Alasuutari (1995:25) for instance sees culture as "a way of life or outlook adopted by a community or social class". As such, culture is the knowledge, skills, altitudes, values, needs and motivations that shaped governance in the Acholi community. It is the frame of shred values that defined kaka governing action, separating one from the other, articulating the common purposes and cognitive reasons.

the formal actors. In addition, foreign NGOs and global human rights organisations (GHROs) as formally registered organisations are part of the formal political actors. Within government, I have paid special attention to the executive and the bureaucrats because, as Fukuyama (2013) stated, they control and distribute power in formal systems.

In the case of functional mechanisms, this chapter explores the contradictions and synergies perceived and/or felt by the respondents, arising from the different governing instruments – whether sets of principles and policies that regulated political relations and interactions of these different actors. In a sense, the governing instruments denote the level of institutional embeddedness of these actors and what the respondent felt about them[255]. By embeddedness, I refer to both perceived and stated extent of responsiveness of the different institutions and structures to their clients – both individual members of the community and specific polities, including *gangi* agnates.

Explaining Change Outcomes

In *Table 5.1* below are the indicators for the governing areas (parameters), the institutions (perimeters) and their corresponding measurement of performances (governing indicators). The quality of community governance for the year 1898 to 2010 was reported based on these indicators. Normative perspectives of the quality of governance were derived from standard viewpoints laid out along nationally accepted performance - a continuum of what is generally seen as weak or detached to strong or embedded interactions. Cognitive perspective, on the other hand, is societal measures of governing quality based on weights placed by the community groups along their own cognitive values. As explained in Chapter One, the quality of these parameters is a measure or reports the levels of group satisfaction with the institutions.

[255]In Chapter Two, "Approach to Research" I explained how change outcomes indicate change in perspective over a time line.

Table 5.1: Quality, Form or State of Governing Elements

Parameters	Perimeters	Governing Outcomes Indicators
Governing Image	Political Institutions	The qualities of governing institutions
		Carrying capacity[256] of the governing entities
Governing Instruments	Formal Rules	Practices embedded in societal bases – safety nets
		Flexibility and responsiveness of the rules
		Specificity of rules in supporting governing actions
	Informal Rules	Supportive to and complementing formal rules
		Relevance of the rules to emerging social problems
		Substitutability of formal rules

Source: Field Data, 2014

Respondents were asked to substantiate how and why they felt or perceived that certain regimes were comparatively better embedded in Acholi governance[257]. The indicators in *Table 5.1* were used to make these pair wise comparisons. The results of the discussions were validated at different events and functions, including funerals[258]. On the vertical axis, the extent of embeddedness, determined through pair wise rankings of the actors by both individuals and group opinions are stated as either cognitive or numerical values. The higher up the lines in the vertical axis, the more responsive the respondents perceive or felt the institutions are. In constructing the final impressions about the performance of these institutions, the twenty respondents – the trailblazers - were asked to comment on the results from the field. As recently as March2015 when I attended funerals in Pakiri and Palabek Kal villages, I discussed the final version of the rating of my work with mourners[259].

[256] I have used "carrying capacity" to describe both the number and skills or the availability of and the quality of personnel required by the governing entities, to deliver services for its members.

[257] Regimes are categorized as colonial and post-colonial. Post colonial was further divided as Obote 1 (1962 to 1971), Idi Amin's (1971 to 1979), Obote II (1980 to 1985) and Museveni (1986 to 2010).

[258] The embeddedness of institutions was discussed in all the focus group discussions but also at the specific interviews carried with individuals. However, the findings reached have been validated in all follow-up discussions on the research with individuals and leaders from Acholi sub-region.

[259] On March 3 2015, while undertaking a research on land in Pader, I met with elders (10 of which 6 were women), age limits ranging from 56 to 83 years and they both validated the conclusion of the analysis. Earlier, on January 20, 2015 in

The underlying view is that supply-led or induced change is subjected to power politics (see: Dwyer, 1972; Ostrom, 2005:61)[260]. Hence, distributive power as power over others obstructs partnerships and participation as other actors become subordinated to the power that be. However, when power is collective - embedded within the society, the processes of change and the outcomes tend to embrace consensus of opinions. This is because collective power engages representative intentions and is likely to benefit the entire society (Mann, 1986: 6-7). Thus, collective power that characterised the *kaka* model of governance is functional and was a shared responsibility. It, thus, enables the achievements of differentiated outcomes for the good of the different actors (Mann, 1986:6-7).

General Impressions of the Acholi's Respondents

Generally speaking, the majority of men and women who contributed to this study are fully backed by existing information and they concur that formal institutions - especially the state and its analogues, introduced hierarchical mode of governance that was much more distinct from the traditional one. First, the leader-follower relationships that characterised the interactions between *ludito kaka* and other governing entities, or between *ludito* and the younger generation applied hierarchy as a social status, based on regulations (Kooiman, 2003: 16). It, thus, recognised elders as archives of governing culture or regulations of demonstrable knowledge of a society. However, the state on the other hand, introduced a legal form of ruler-subject relationship as functional mechanisms for community governance. In this circumstance, the state is the principal source of distributive authority regardless of its knowledge base.

Secondly, in order to enforce this new form of relationship, the Uganda state institutionalised violence and co-optive politics as a habit. This habit is being enforced by "independent" mechanisms that are external to the society, who were viewed as subjects. These respondents argued that the observed developments began the process of alienating outspoken political leaders like Rwot Awich during colonial era because he as a leader of the *kaka* Payiira had maintained a strong viewpoint that *kaka* Acholi were partners not subject of the Queen of

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funeral rites, I also talked to some 8 people who also had similar views on the project.

[260] Dwyer (1972) observed that even when Acholi was not conquered, the superior power of the Arabs and the colonialists caused them to wilfully carry certain changes.

England (Anywar, 1948: 76). The subject-ruler model became a trademark of the contemporary community governance in Acholiland and has deepened the belief and practice of authoritarianism (see: Rubongoya, 2007:Chapter 1). Various respondents from different age groups recalled the effects of ruler-subject interactions. The older generation recalled what happened in the forced displacements that occurred in the 1912 to 1935. The entire *kaka* Payiira, Alero, Bwobo and part of Lamogi and Koch were forced to leave the areas of the present Nwoya and Amuru districts (Uma-Owiny, 2013:20). Similarly, native chiefs during the colonial and the early post-colonial eras used force as mechanisms for tax collection in the 1950s through to the 1970s. Memories, particularly of recent political events during the NRM, including the revival of social torture by armed rebels, the use of the national army – the UPDF in land wrangles, were vividly expressed as manifestation of subject-ruler relationships (Refugee Law Project, 2010)[261].

Land grabs or selective knowledge of realities?

In the case of the current waves of "land grabs", the general view is that state agencies, the Wildlife Authority (UWA) and the Uganda Investment Authority (UIA) have continued to selectively apply legal framework to victimise the Acholi over their ancestral land[262]. I have argued, however, that seen from legal pluralism, the claim of unfair treatment of the Acholi by government is contestable although it is factual that the state has misused its constitutional leverage in land transaction in Acholiland. This is because the 1998 Uganda Land Act, unknown to the Acholi, has redefined the status of customary land holding by introducing ownership clause in the land parcels under the law (Anying, 2014). Accordingly, the administration of customary land tenure regime - a system that dominates the Acholiland – has significantly changed and the state has a big stake in creating disequilibria (see: Rugadiya, 2008; Adoko and Levine, 2007: 36). Particularly, the law provides for ownership of the different parcels of land under customary tenure regime - which was absent under the traditional system that governed land during Acholi *macon*. Unknown to most Acholi, this provision links land use patterns to claims of ownership, arguing that

[261]For some of these discussions, refer to The Refugee Laws Project at <www.refugeelawsproject.org>

[262]See for instance a recent discussion of the Apaa land grab in which two Ministers faced off with people from Amuru in the Monitor Newspaper of May 6, 2015 <www.monitor.co.ug>

all parcels of customary land "unused in Acholiland" are owned by the Uganda Land Board (see: Adoko and Levine, 2007:27)[263].

In the old Acholi system, land was held in trust by the living for the benefit of the unborn. As such, it is the ancestors not the living *ludito kaka* that claimed ownership of Acholiland as a territory (see: Anying, 2014)[264]. This assertion gave current users only limited rights of *ngom* in *lobo* Acholi, with the Acholi elders – who were found in every household – as guarantors of the culture of its use[265]. This traditional law of use allowed their occupants, most of them descendants of Acholiland, to occupy and use the land. However, nobody seems to have owned any piece, even where they had settled for years[266]. This situation has been changing and particularly now that the Acholi's population has increased and also lack the cohesiveness that enforced the customs. This is in addition to the fact that the elders that understood the said customs or paid attentions to them still existed and are committed to doing so.

However, under modernity, the new laws have introduced pluralism in land ownership and in some instances, conflicting rights over land for individuals, families, community and the state, the latter represented by District Land Board (Mamdani, 2014). The Acholi households under the new customary provision own the areas they are using effectively. This technically, embraces areas under settlement – which are parcels of land used for constructing huts, cultivation, grazing and possibly the forest trees and water points. Incidentally, open space of land or *tim*, which in the past serviced multiple polities and with multi-purposes – like hunting, grazing and collection of household construction materials, has

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[263] During the colonial and post-colonial eras, most aspects of the traditional land governance were fused with the customary laws of the Local Government that governed land. For instance, *rwodi kweri,* who was elected by the village system, often were *ludito kaka* with special leadership skills. As such they fused modernity with stable values of the traditions. One such value was the rights to access by members as well as the role of the society in vetting rights.

[264] Interview with Mathew Otto, a legal expert working for *Ker Kwaro Acholi* and also the District Land Officer for Kitgum District.

[265] I was informed in a number of interviews that elders in some of the known clans would guarantee that certain aspects of land use were not allowed in some of the parcels for custom as dictated by customs. A case well remembered is where the *abila* are erected; nobody was allowed to cultivate the area.

[266] Discussions with some Acholi elites, who have considerable knowledge of land issues. They include Hon. Okello-Okello, Fr. Joseph Okumu, Latigo-Otto, and other members of the Technical Committee of the Joint Acholi Sub-Leaders Forum.

under the new laws, been designated to the state and therefore, according to the law, are controlled by the District Land Boards (see: Anying, 2014).

The notion of *tim* in Acholi as *res nullus* or open space is not attainable in its true sense. This is because *res nullus* is an internal vocabulary among the kin. Only kinsmen and to some extent women considered *tim* as "open space" when the traditional communal use of such parcels were being forced to change under different circumstances that were internal to the rights of the users. Additionally, speculation advanced by proponents of "open space" that *tim* were not obvious to the various *kaka* and *gangi* that now claim rights over them is unfounded. If anything, Acholi prior to 1898 and even as recent as in the 1980s had their dominant lifestyles as hunters. The study by Oxfam-UK in 1998 confirmed that the majority of men spent more than 75 per cent of their time during dry season hunting, implying that hunting as a dominant mode of men's lifestyles – that required open space – is only slowly being restricted for settled cultivation and agriculture. Under the new arrangement following the 1998 Land Act, however, customary land in Acholiland has become a source of major conflicts and misinterpretations (see: Mamdani, 2014). Core in this is the misunderstanding of what is in the Law that has formally embraced the regime.

Henceforth, the 1998 Land Act has reconstructed marked differences over parcels that constitute the customary tenure regime. Like in the case of *tim*, increasingly, there are competing differences and interests in the use and users. Regrettably, most narratives dominating post-war land in Acholiland hover around mainly three key issues, namely: economic development, culture and politics – in line with the dominating themes of civil and political rights advanced under transitional justice (Shipton, 2007). Unequivocally, government and development partner interpretations of post-war recovery and reconstruction are tied terms of wealth creation, human rights and peace. This has moved land into the markets, to transform the households. Additionally, transformative change has been viewed in terms of individual rights. This has direct implications for prioritisation of gender and age group development. In delivering on this, the politics of governance has to be reshuffled. At least, seen from what is going on the ground, the state seems to have asserted its legitimacy in governing customary land. At best, the state and its analogues have consistently and undemocratically misused the constitution to disadvantage sections of the Acholi community in the name of poverty reduction (Atkinson, 2010: 4-7).

Additionally, most respondents of Acholi origin also contended that pluralism in governing institutions as observed in the introductory section has cushioned the adverse impact of the formal institutions, which are perceived to have had ill intentions especially in the last thirty years. Admittedly, the respondents have noted that both government and the community as a practice weigh the options of their decisions based on legal pluralisms. This, they argue, has watered down technically based options in favour of politically correct practices in the governance that when applied, promotes peacefulness. For instance, on matters related to land, the view is that ordinary community members prefer to use tradition and CSOs in land mediation - not necessarily because these options were the best. Rather, these institutions are politically correct under the circumstance. The elite, on the other hand, have relied on the formal court of law.

First, the traditional and the CSOs lack bureaucracy. Additionally, both systems are considered apolitical and respected even by government [267]. In the case of the courts of law, the elites contend that they are modern and therefore more relevant for dispute resolution as its decisions are respected by the state. Additionally, the same elite, who shares common lifestyles with the custodians of the courts of law, often compromises the courts of law. There are instances when those ordinary respondents made remarks suggesting that the elite would threaten them with physical violence, which they maintained they would pay off the courts of law to rule in their favour: *agoyi acula acula* [I will beat you up and pay the court for my innocence] *or agoyi apida apida i* court! – I will beat you up and face the court for the actions.

Views regarding change outcomes

In explaining the extent of institutional change, the processes and the reasons, two governing perimeters of change are discussed. In the first case, we review how institutional change has structured relationships and enabled the emancipation of the entire community of interest, rather than the primordial

[267] In 2001, the World Bank undertook a needs assessment in selected communities in northern Uganda, including in Acholi. Part of the interest was to identify the main stakeholders that communities feel can work with them. Based on stakeholder assessment, CSOs, traditional leaders and Religious organisations were preferred by communities in Acholi (World Bank, 2001). Katie Missier (2012) also found out that within the Local Government, community prefer the LC1 instead of the others.

dimension. The central sentiment of the analysis is linked to the moral dimension of change, acknowledging that in a fragile situation, governing models need to establish just peace, which is a moral situation. Henceforth, I examine the extent to which these governing institutions have been successful in promoting, protecting and preserving household livelihood security of the Acholi people *(Figure 5.1)* and how they have remained relevant under differentiated governing circumstances *(Figure 5.2).*

Institutional embeddedness is evaluated along two dimensions as a continuum. In the first case, it ranges authority from a point of disengagement on one extreme to normative engagement, at the other extreme (Chazan, 1994: 60-97). Disengagement, I have argued, would represent a condition in which the entire Acholi society or part of it as indicated by its representatives, felt detached from the said institutions. Or, as Landau (2000) suggested, they are consciously distant from the political authority (Landau, 2000:na). Normative engagement, on the other hand, would represent the extreme end in which there is a dynamic, responsive and consensual engagement between the Acholi society with the institutions - suggesting that the mode of interactions between them were supportive. The second part of this dimension underscores the fact that a given set of relationships can range from coercion to co-option as a continuum (Landau, 2000). Coercion, which is the other extreme point, explains the reliance on force as a form of authority to ensure order and to extract official commands. In this case, political authority can be applied even without any form of legitimacy. Co-option as another extreme end, on the other hand, is a *neo-patrimonial* form of relationship and entails rulers relying on their political power to exchange political favours and therefore retain popularity (Landau, 2000).

The second dimension or parameter of change determines how these institutions, social structures and organisations related to each other over time, to influence change outcomes *(Figure 5.3).* As discussed in the conceptual chapter, institutional rules, whether informal or formal, are both constitutive and regulative (Fleetwood, 2007: 10-12). As constitutive rules, they not only regulate the actions of the organisations, they also constitute the actions that become the habits of the political actors (Fleetwood, 2007: 10-15). This means that rules guiding the security of household livelihoods have a history of being accepted and are followed by the organisations or actors after they are internalised as they become habits. The issue was to explore how these networks of governing

structures and internal power relations internalised the dynamics of the governing principles on human rights protection and ensured their habituation.

Embeddedness of Governing Institutions

Figure 5.1 below presents a histograph of "embeddedness of governing institutions" from 1898 to 2010. Embeddedness is used to determine the quality, reasons and extent of institutional engagement in mediating interactions over the years. As such, it is used as a proxy for understanding the politics of society-actor relations. This analysis is limited only to the two major categories of institutions I have discussed above – (i) the traditional, and (ii) the formal - state, local government and civil society organisations (CSOs) as they have been consistently the most active authorities on the ground. Traditional institutions derive their legitimacies from the culture and norms of the people that have been in use for years (Mamdani, 2014). The state, local governments and CSOs, on the other hand, are legal rules that derive their legitimacy from modern laws. However, the traditional authorities together with CSOs are categorised as non-state actors (Smits and Wrights, 2012:22) because they do not have the monopoly of power. However, some aspects of the CSOs – the youth and the women groups for instance - were in the past, fused within the traditional system (Rubongoya, 2007: 10). Local government, on the other hand, is a delegated political authority of the state and as such derives its legitimacy from the state. The vertical axis shows the extent of embeddedness of these different institutions.

Here, I use the contemporary definition of CSOs as the aggregate of non-state organisations and institutions that manifest the interests and will of citizens, individuals and organisations in a society, which are independent of the government (Thue, *et al*., 2002)[268]. According to the World Bank, they articulate the interest and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations. CSOs, therefore

[268]The main actor, the Civil Society Coalition for Peace in Northern Uganda (CSCOPNU), has prominent local CSOs including the Acholi Religious Leaders' Peace Initiatives (ARLPI), Justice and Reconciliation Project (JRP), Concerned Parents Association (CPA) and the Refugee Law Project (RLP). Also refer to the Report of a Study on Civil Society in Uganda for the Royal Norwegian Embassy in Uganda by Thue, N, Makubuya, AN, and Nakirunda, M (2002).

embrace a wide array of "moral" actors, which are both internal and external to the Acholi system. Hence, community groups (see: Gertzel, 1974)[269], non-governmental organisations (NGOs), labour unions, indigenous groups (e.g., *wadi obeno*, interest groups), charitable organisations, faith-based organisations, professional associations (e.g., political parties), and foundations (World Bank, 2008).

Up until the 1930s, CSOs – like women and youth groups - and the LGs functions were fused within the traditional *kaka* system, hence, defining the governing image of the Acholi *macon.* Ideally, each of the governing unit of the Acholi *macon* – the *dog odi, dye-kal, dog gang* and *kaka*–as layers of governing authorities acted as CSOs or LGs, given the different circumstances of their operations. For instance, *dye-kal* as corporate families represented the interest of their *dog odi* while interacting at the agnatic level, *dog gang*. However, it was a lineage authority and therefore, the legitimate levels of the lineage-based identities. As such, the respondents felt that these political structures were highly embedded within the Acholi society as part of the tradition until sometimes in the 1930s (see Figure 5.1). The state, on the other hand, as a colonial invention following the signing of treaties by *rwodi* Acholi and the colonial agents in 1898 was rather disengaged in the beginning (see: Gertzel, 1974: 51). Arguably, its core intents and interests were inconsistent with that of the ordinary governing structures of the Acholi during the early parts of its formation.

Figure 5.1 depicts important memories and interpretations of governing interactions of these two institutions under the different regimes within Acholiland. Specifically, this figure shows how from 1898 to 1962, the traditional system that had fused the functions of LGs and CSOs took a downward trend from its epitome during pre-colonial time. Those governing elements within the traditional realm of governance that had supported household livelihood security were reshuffled, leading to a downward decline in the role of *kaka,* according to the respondents. However, from 1962 to 1971, both the traditional and the formal systems gained grounds, possibly favoured by the "Africanisation" of the state governance that came with self-rule in 1962. This trend, however, was reversed

[269]Kinship within the broader definition of the Acholi community defined by interests, the Acholi Youth Group formed by the Acholi elites in the 1950s and the numerous civil societies that existed in Acholi are viewed in this study as part of the civil society.

during Idi Amin's era in 1971 to 1980 but also during the transitional period that arguably led to the capture of power by the NRM.

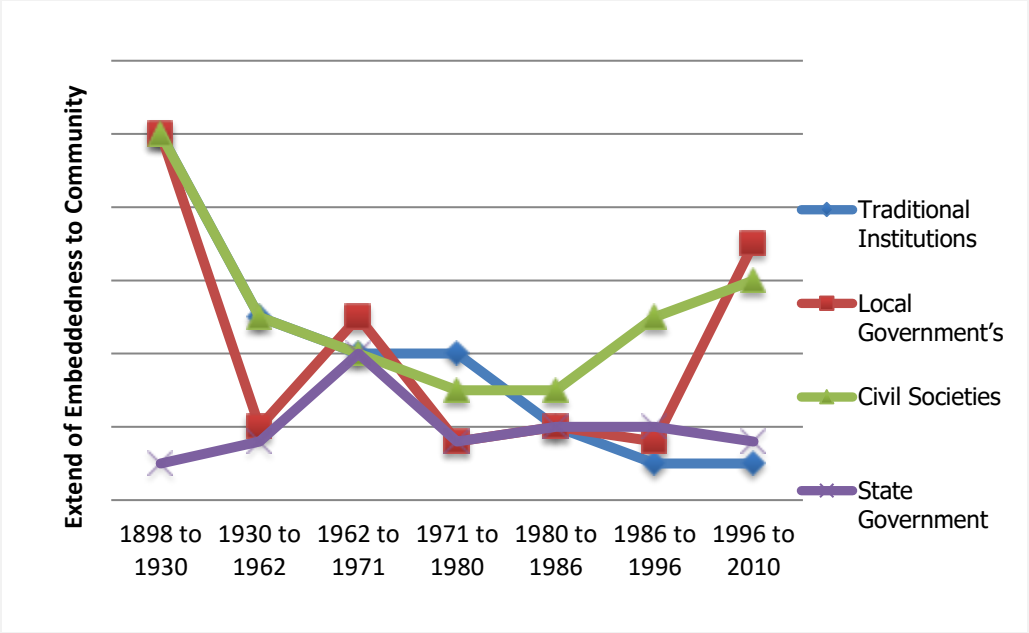
All these vital institutions slumbered following Amin's *coup d'état* in 1971 and never recovered until the mid 1980s. From the views of the Acholi respondents, the Uganda systems failed to respond to Acholi's political questions and continued to deny its emancipation as evident by low support to food production, increased injustice and human insecurity during all the periods that followed Idi Amin's regime (World Bank, 2007a). This weakness by both the formal – governments - and the traditional systems bolstered the growth of the informal system – and the legitimisation of the CSOs - in supporting the coping of the Acholi with the stress (World Bank, 2002). This supplementation by the CSOs and informal system of the two major institutions remained visibly strong until 2010, with especially the foreign CSOs substituting and/or complementing the LGs and *kaka* in service delivery and peace building (World Bank, 2002).

The Embeddedness of the traditional institutions

Figure 5.1 shows that *kaka* governance progressively shifted from normative engagement – where it had for decades, shared a strong convergence of interests and goals with the community from 1898 to 1930s – to a disengagement in most parts of the post-colonial period including 2010[270]. I argue that this perceived disengagement of *kaka* by the respondents should be seen in light of the reshuffled authorities of the traditional leaders when the British incorporated it into the Ugandan state in the 1890s (e.g., Wild, 1947). For instance, the use of courts of law in enforcing social justice as defined in the modern context, the relegation of food security to state ministries and their corresponding analogues – all located far away from the community - and the institutionalisation of human protection to state-based agencies like the army and police forces, all created centralised and bureaucratised services for the people (see: Missier, 2012). In other words, the seemly-disengagement of *kaka* as perceived by the respondents was actually the effects of both the substitution of its mandate by the formal systems but also the ineffective service provision by the new system.

[270]Building on Girling's (1960) viewpoints, I have defined these rules as familial at the family level, the ritual or agnatic rules that governed *dog gangi* and the *kaka* level's rules that defined political authorities

Figure 5.1: Embeddedness of Governing Institutions, 1898 to 2010



Source: Field Data, 2013

While disengagement of the traditional system came as a result of substitution and unlevelled grounds with the modern system, there were additional complications caused in the shifting definitions and scope of these new functions. For instance, *cek cam*, loosely translated as food security, was typically viewed in the Acholi culture as an entitlement. While every individual legacy as a household was measured by food availability of staples all year round, better quality and quantity of staples for all members of the household was an entitlement. As an analytical question, it constitutes part of what Timothy R. Frankenberger (1996) referred to as household livelihood security frame[271].

[271] Household livelihood security is generally defined as adequate and sustainable access to income and other resources that enable households to meet basic needs including adequate access to food, portable water, health facilities, educational opportunities, housing, time for community participation and social integration, among others. Livelihoods are secure when households have secured ownership of, or access to, resources and income earning activities, including reserves and assets, to offset risks, ease shocks, and meet contingencies. The means by which these households members meet these basic means are also important: [i] whether households can produce all or some of their basic needs [*production means*], [ii] whether they can purchase all or some of their basic needs [*capability],* [iii] they have land, working capital, labour and management abilities [*productive resources and assets*], [iv] whether they know how to produce, provide or earn enough income to purchase all or some of their basic need [*skills*] and [v] whether they have adequate amounts of available time to apply to their skills or earn enough income to meet their basic needs [*time*].

According to Frankenberger (1996), livelihoods consist of a range of on-farm and off-farm activities that offer a variety of procurement strategies and opportunities for food and cash.

A typical Acholi household prior to and during the earlier part of colonialism relied on own production, *wilo* and *caka*, to sustain its family[272]. The capability and ability of a household or individual often determined the extent of its livelihood security. Thus, household would employ a range of strategies that included buffer of own production (*dero mono* and *dero kec*) [see: Oloya, 1998] and markets (*caka*, *cuk* and *awak*)[273]. *Caka* included both gifting and borrowing of food from neighbours or relatives, mostly done by women. Additionally, use of available household labour could procure both immediate food for the households or a payback for what had been loaned. In a way, *dye-kal* often had obligations towards *dog odi* under their jurally power. *Won paco* would ensure availability of seeds and timely production in the corporate family.

This entitlement approach, however, shifted with an emphasis on market access as a key strategy with the introduction of cash crops in the 1930s (Leys, 1967:50). Typically, Acholi smallholders moved into cash crop production with cotton and tobacco as the major enterprises by mid 1900s (e.g., Leys, 1967:49; Pain, 1998). The formal sector, because it was resourced and had the required transformative skills for the reforms, took a more engaging role in agriculture, co-opting *rwodi kweri* from the traditional sector as the lead in mobilising the households in cash crop production. This reform in the agricultural sector reshuffled the roles of the traditional system to merely facilitative one – following the commands of the formal sector in cash crop production. This shift, however, retained the benefits of traditions *awak* where farming groups worked for each of the members. In this case, *awak* were used to target commercial agriculture to increase areas under cash crop production (Leys, 1967:49).

Be that as it may, the households, as private investors, used their new founded agricultural skills and knowledge to increase the production of food crops, which were rotated with the cash crops. Increasingly, households became

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[272] *Wilo* as an action is to acquire by exchange or buying while *caka* is borrowing/begging, which can be free but often through use of free labour. A housewife without enough grain to cover a period would go and help in the harvest in some other person who I turn, gives some portion in recognition of the labour.

[273] *Caka* is begging/borrowing. *Cuk* is market and *awak* is group work

more food secure, in spite of the hostile climate, and by the 1960s, the Acholi were largely food secured[274]. The involvement of LGs after independence, argue the respondents, changed the emphasis on cash crops production. While cotton production, livestock rearing and food crop production benefited from modern extension services, they depended on Acholi culture of *awak*, social cohesion and fiduciary responsibilities. This, however, changed in the later periods and especially during the NRM regime. Respondents contend that *ludito kaka* of the 1980s, as well as the re-invented traditional institution of Acholi, *Ter Ker Kwaro Acholi;* have no innovations outside what is in the modern vanguard. They are detached, irrelevant and inexperienced in the ideation of the tradition. The tradition might have as well gone archaic. Nevertheless, these reinvented leaders also lack political power and will and are unworthy of any significance in the reconstruction of Acholiland. This similar finding was echoed by Branch (2005) on his work in Gulu town.

> **"These *Ter Ker Kwaro [Acholi*] people are politicians and opportunists. They will sell off land in Acholi in exchange for their subsistence living. They even do not know the simple ritual of *tumu kir*[275]…"**
>
> Respondent from Gulu Town, December 2011.

Similarly, on human protection, the police, the army and the courts of law overshadowed the effectiveness of the traditional systems during colonialism and thereafter. This move delineated *kaka* as a system to mainly enable the formal system process protection of the society. The majority of the respondents showed this change, as somewhat positive. *Kaka* protection system, they argued, relied on the patriotism and goodwill of the individual *ludito kaka* to enforce *kaka* political dimension of human protection. It demanded that *dog gangi* had first to consent and willingly contribute to the security demands of *rwodi* to whom they were obligated as discussed earlier in chapter four. As such, traditionally protection mechanisms were influenced by the content and forms of

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[274]In the absence of data from the Districts, teachers and retired administrators were quite positive in how these changes were effective and changed the lifestyles of households.

[275]*Kir* is an Acholi word for abomination and is an act by adults that often results from stressful relationships that elders must redeem by purifying the act. Failure to do so may cause illness to either party or their children. Purification or *tumu kiir*i s the mandate of *ludito kaka,* the elders. The fact that *ludito kaka* that constitute *Ter Kwaro* Acholi are seen as incapable of purification implies that they are even less knowledgeable of the Acholi traditions that should be the responsibility of a village elder.

political relationships that existed among actors at the different levels. This often resulted in a continuous renegotiation of the meanings of political entitlements and entrustment within these political levels. The protection system practiced, adopted a more inward looking approach, in which *wadi* as kin got priority support in preserving and maintaining agnatic strength and respect.

The state-based approach on the contrary, introduced what scholars see as rational - one that supposedly advocates for the rights of an individual (e.g., Rudolf, 2008) - a system that is articulated based on the western notion of democracy and not subjected to any form of bias, including kinships or tribalism (see: Ludwig and Rudolf, 2001:200). As such, every citizen, regardless of sex or social affiliations, is subjected to a standard form of conduct, enforced by specialised and designated institutions mandated to act without fear or favour. This theoretical perspective has not been practiced in Acholiland under any form of governance (see: Rubongoya, 2007: 23-29). However, the respondents acknowledged that specialised state organisations that were introduced capably ordered the fear and mistrust of the state system through institutionalised violence (see: Dolan, 2011: 107-108, 229)[276]. It introduced mistrust of the enforcement systems rather than the desired respect that most elders commanded within the society. The traditional system virtually collapsed particularly in the last thirty years. With the coming of the NRM to power, a number of armed thugs mushroomed following the weakening of both the formal and traditional governing systems. These armed groups included the notorious LRA. Unlike the *kaka*-based systems of the pre-colonial era that had ethnicized security for its members, the events that started in 1985 and culminated into high displacements was rather complicated in processes and dimensions.

First, unlike the *kaka* systems, these armed groups of disgruntled soldiers under the Uganda People's Democratic Movement/Army (UPDM/A) and other unarmed civilians of Alice Lakwena, contested the capture of Acholiland, which occurred in March 1986 by the NRA, because the NRM was viewed as an "enemy force" (Lamwaka, 2002:26). Two key features of these rebel groups need to be mentioned. One is that unlike with the *kaka* system, these groups sought to strengthen an ethnic Acholi identity that was constructed by the

[276] In four of the numerous focused group discussions, people remembered how the police enforcement system in the 1950s and the 1960s were said to have been effective in bringing down revenge among kinsmen and women and how force were used to extract evidence.

colonialists and by post-colonial governments for political exploitation. This was an endorsement of the political Acholi as a product of political manipulation. The second aspect is a creation of a new breed of rag-tag warriors that were neither traditional – as their *oteka lweny* and their mode of fighting were not consistent with the initiative of the *kaka* system. Nor were they considered formal armed groups because their training and command structures lacked the state-based system. These new social groups were, therefore, informally created and out of the inadequacies that dovetailed into both the traditional and the state-based systems of governance.

Secondly, the accountability for the rights of individuals under the traditional system was significantly reformed both in content and context. The content of what these rights were under *kaka* were challenged in the context of globalisation and the politics of state construction. Broadly, respondents noted that new concepts and definitions - ownership and property rights that were specific to individuals– were introduced and they distorted the meaning of life within kinship. While ownership as understood in Acholi were a continuum of collective rights over beings and were reinforcing and enabling to individual's, in the case of modern time, it was seen as divisive, possessive and in most instances, greed. In spite of the breakdown in *kaka* governance systems by the 1930s, the traditional institutions – the norms and culture of entrustment, obligations and reciprocities that supported rights construction – became a strong impetus in facilitating the adoption of the new ways of living.

Embeddedness of the CSOs

In the case of Acholiland, the traditional system until possibly 1930s had fused CSOs with the governing system and with a wide range of moral concerns for their members. At the macro-level of governance, which was *kaka*, *wadi obeno* as agnatic kinship and *wadi* as a form of relationships that emerged from various social interactions but not necessarily exogamous, formed the core of the indigenous moral associations of traditional CSOs[277]. However, at the meso level, CSOs that formed the agnatic governing levels included structures like *dog odi*,

[277]Kinship is defined within the broader definition of the Acholi community as CSOs that were defined by putative and primordial interests. Incidentally, the Acholi Youth Group that was formed as a political pressure group by the Acholi elites in the 1950s (see: Gitzel, 1974), and the numerous civil societies that existed in Acholi are viewed in this study as part of the civil society.

dye-kal, gang that were primordial and/or collective. They also included specialised community social groups like *bulo, wayo, nero*– who were special interest groups that represented societies with unique societal issues that defined their unique interests[278].

Contemporary CSOs, on the other hand, are formal and guided by legal provisions of the state. They include non-governmental organisations (NGOs), labour unions, registered indigenous groups, charitable organisations, faith-based organisations, professional associations (e.g., political parties), and foundations (World Bank, 2008). In the case of Acholi, Churches and their associated grassroots member organisations, political parties and the associated grassroots organisations and the cooperative movements were the three dominant contemporary CSOs reportedly dominant during the 1950s through to 1970s. Arguably, CSOs as presented in *Figure 5.1* were seen as closely linked to the struggles of their member groups, who were modelled from the traditional sector. This participation of external CSOs increased with globalisation (Amit, 2002:14). *Figures 5.1* to *5.3* show how respondents perceived how these CSOs responded to the societal concerns from 1898 to 2010.

It was stated that mainly the churches and government actually supported traditional CSOs up until the 1970s. However, the respondents noted that the emergence of cooperative societies and trade unions as formal organisations within the society, helped shape the articulation of members' interests. This is because traditional social groups like the youth groups, *bulu*, that had in the early part of colonialism profiled their clan during hunting and *lweny kaka* became part of these new movements. Hence, in creating a new community bound by limited political interests, these new networks became significant in the exchange of cultures. However, by the 1980s on ward, contemporary CSOs emerged as diverse and in larger numbers. Faith-based organisations like the Church, for instance, were one of the earlier foreign-based CSOs that have had significant influence in the politics of Acholi as far back as the mid 1900s. Respondents also recalled that following the overthrow of Amin in 1979, NGOs like Action for Cooperation in Research and Development (ACORD)

[278]These are categories of groups defined by age or sex and therefore interests. *Bulo* or *bulu* (youth with their headmen*, rwot bulu), wayo* or *anyira* is a title for girls from the lineage. All girls or *anyira* are recognized as *wayo* in the lineages. They would form an interest group in advocating for their lots before the society.

came to support development in Acholiland. This, however, changed with time, as more NGOs moved into Acholiland following the recent violence, to support humanitarian work.

There was distinctive presence of internationally funded CSOs and especially international NGOs (INGOs) all over the third world after the reforms of the state in the 1980s. In the case of Acholiland, the numbers and types of CSOs drastically increased in the 1980s as it was viewed as a needy area following Amin's targeting of the Acholi as political enemies (e.g., Thue *et al.,* 2000). Except in the 1970s and early 1980s, respondents admit that CSOs were perhaps one of the most closely aligned institutions to the community. Their embeddedness was based on shared objectives and purposes. These included food security, social justice and peace. The absence of significant INGOs in the 1970s and early 1980s were political as Idi Amin's regime viewed them as anti-government [279]. As an elder stated about contemporary CSOs, "they are responsive to our troubles because they link us to those who can feel our pains"[280]. Particularly in the recent past, CSOs showed their comparative advantages in securing funding from INGOs and donors, something that community leaders and even LGs could not easily do (Dolan, 2011:227).

Embeddedness of the State and Local Government as an institution

The state, as conceptualised in chapter two and further discussed in chapters three and four underscore authority rather than leadership. Firstly, it is a legally delegated authority created to maintain order with a high level of impartiality and specialisation (Fukuyana, 2013: 361). Secondly, the logic of new governance that came into practice in the 1980s introduced legal pluralism that weakened the distinction between states and other domains of social order by recognising the importance of markets, networks and non-state actors in community governance (see: Bevir, 2010: 216-226). Thus, LG and other non-governmental actors are empowered in the new reform as delegated centres for the administration of specialised or decentralised governance on behalf of the state (see: Ojambo, 2010). As we will see later, in the case of Uganda, these new centres have often been legally interpreted by the official sources as only additional to the state rather than seen as separate and reinforcing partners.

[279] Field information.

[280] A quote from a displaced person living in Byale, in Masindi in March, 2004

In the 1900s, the British colonialist reconstructed Acholiland into a LG. Acholiland became a territory of the colonial Acholi society and was subordinated to the District Commissioner – who was the representative of the state (see: Girling, 1960: 84). This legal status, however, has continued to change since, and mainly in tandem with governing modes and policies of the different principal actors[281]. For instance, in 1914 a new district, Chuwa (Chua) was created by the colonialists and with a capital at Kitgum, to carter for the eastern part of Acholiland (Bere, 1947: 8). However, this situation was reversed again in 1937 when the Acholi District Administration was reinstated with Gulu as the administrative capital (Bere, 1947: 8; Gertzel, 1974: 58). In 1974, Acholi District was split again into two units and the former Chuwa District was named East Acholi District with Kitgum as the capital. Then West Acholi District was administered from Gulu. Acholiland remained divided into two local governments until later during the NRM era when East Acholi District was renamed Kitgum District and West Acholi became Gulu District. To-date, Amuru and Nwoya have been created out of Gulu District as new LGs and Pader, Agago and Lamwo LGs created out of Kitgum District. This has resulted in Acholiland being administered as seven LGs - a move that technically has re-established the traditional dialectic zoning of Acholiland prior to colonialism.

Explaining the changing trends in governance mediated by formal institutions

Figure 5.1 shows how the majority of the Acholi respondents perceived the contribution of the formal institutions to community governance from 1898 to 2010. Generally, the perception is that formal institutions played significant roles in the creation of chaos in Acholiland. In the first instance, formal institutions reshuffled authorities of the governing actors. From 1898 to 1940s, one core function of the traditional system - protection of rights of the Acholi –was reshuffled by colonialism and was delegated to the formal system. From discussions, these changes were in some instances, inconsistent with the governing interests and goals of the Acholi community. For instance, the forceful manner in which infrastructure were constructed, violated the culture of consensual engagement among the Acholi. These contestations, which became protracted by early 1900s, led to many arrests of local political leaders including Rwot Awich in 1902 and later again in 1914, Onung Ting Traa from Lamogi in

[281] Discussion with Prof. Morris Ongenga-Latigo – which have been continuous as he was my supervisor starting in 2011 when Professor Ginyera Pinycwa died.

1911 and other *rwodi*, like Rwot Aliker of Pajule. The problem with such arrests of *rwodi*, who in most instances, were headmen of their agnates, did not significantly affect the entire *kaka*, except where these *rwodi* were popular. In the case of Lamogi for instance, the arrest of Rwot Onung became mainly the concern of his agnate, the *dog gang* Boro.

As Dolan (2011:39-68) intimated, it cannot be easily stated when violence actually began and whether it was about the many wrangles that were fought in Acholiland. Or rather, violence as remembered by the Acholi and discussed in chapter three, exists entirely on its own right. This is because while during the pre-colonial time, violence is remembered mostly in form of *lweny kaka* - inspired by slave traders - all the other regimes that governed Acholiland since 1898 have exhibited significant presence of varying typologies of violence. It is evident from *Figure 5.1* that overall, local governance dovetailed with violence even more profoundly during the contemporary Acholiland. The likely explanation is found in the mode of governing interactions that conflicted with the local interests.

Pre-colonial era witnessed the growth of external interests in Acholiland and was discussed in chapter three. In order to protect the built-up in commerce and trade by these foreign nationals, colonialists relied on military presence and pressures as the most viable tool for transforming the Acholiland[282]. This was used to weaken kinship ties and building new and disjointed alliances among the traditional *kaka* Acholi. The amalgamation of institutions of governance in Acholiland that started sometime in 1902 triggered the reconfiguration of ethnic groupings, taking advantage of these varied foreign interests (Uma-Owiny, 2013). It included merging of the different and most times unrelated *kaka* within a given territory into one administrative unit, the County[283]. And, one of the *rwodi* from among those forced together became the County Chief while the other *rwodi* were subordinated to him. In some instances, as discussed later, County Chiefs

[282] For colonial period, see: Odoi, 2010: and for contemporary Acholiland see the Uganda Vision 2040 and the overall approach by donors and governments in the various annual plans.

[283] Tim Allen and Ronald Atkinson wrongly felt that most of the *kaka* units were of similar decent. In the context of Acholi, relationships are defined in terms of *wadi* as I have discussed extensively in Chapter Four. This, thus, makes his assertions of relationship a very weak one. Through inter-marriages, interactions improved among these polities. Improved interactions in my opinion do not constitute or translate into becoming relatives. It improves relations among friends and foes alike.

were posted into these new outfits, regardless of whether these administrators were like or not by the new groups (e.g., Uma-Owiny, 2013; Branch, 2011: 45-88).

This kind of governing actions escalated violence among the different political groupings in the earlier part of colonialism (Finnström, 2008: 208-211). Typically, the hatred that existed between *kaka* Padibe that was located in the northeast and *kaka* Payiira in the central zone, exemplify this development[284]. *Kaka* governance and especially the growth of these zonal polities– which later provided the limits for the original County in the nineteenth century - and their consolidation in the late eighteenth century, was partly in response to the need to overcome and survive the assaults of these powerful externally backed enemies (Finnström, 2008:52-55). Hence, *kaka* as political organisations became synonymous with interest-based local governance. This organic evolution of collectivity based on interest, arguably, led to the respondents giving a good rating of the traditional system at the beginning as reflected in *Figure 5.1.*

The colonial regime was set to destroy the architecture of *kaka* model, and to replace it with a colonial system and society that was submissive to the Uganda project[285]. The objectives of the two models were diverse and sometimes opposing. *Kaka,* particularly after the 1875 conflict, sought to build harmony among like-minded *gangi* agnates by emphasising *ribbe* or unity. In *ribbe, rwodi* and *ludito kaka* sought to collate resources from these polities for furthering lineage accentuation[286]. The strength of *kaka* therefore, was defined by pooling differentiated resources of the different agnates – *pii pong ki jange*. LG, on the other hand, sought to create submissive colonial society that would respond to centralise authority (see: Branch, 2011: 46-47). *Figure 5.1* shows how this move set from the onset, legal pluralism and cultural entropy in the entire system of local governance and accountability. Branch (2011:46-47) for instance made the observation that the British found it very hard to reconstruct *kaka* into hierarchal structures and had to apply violence, co-option and cohesion

[284] Interview with Rtd. Bishop Ochola and Mzee Binoni Odwogo of Padibe Kal

[285] See Rubongoya (2007) analysis of this situation in Chapter 2

[286] Most moves made by powerful *kaka* like Payiira, Padibe and Patiko point to the fact that the internal dynamics of these *kaka* were geared to peace making and scaling-up the consociations of core-agnates and their associated non-core, to reduce conflict with each other. *Kaka* Payiira in particular but also *kaka* Pajule set to capture power of the smaller agnates by providing security of life and properties.

in coming with LG model that became synonymous with social torture. Hence, both LG and the state were normatively disengaged with the community during the entire colonial period but also in the large part of post-colonial period.

The Acholi youth groups during the colonial era set to define the tone of the late 1950s politics by embedding their political movements within the core values of the Acholi, leading to Acholi Local Governments becoming one of the strongest and people-focused decentralised systems by Uganda's independence in 1962 (see: Gertzel, 1947: 28). Post-colonial Uganda, however, had a mix of disheartening scenarios in community governance. From discussions that ensued, respondents felt that there was a significant divergence in interests or goals. The general relations between the two systems were lower than envisioned because the formal systems to the contrary, aimed to gain grounds on controlling the Acholi instead of empowering them. A discussion of the NRM regime, 1986 to 2010 however, was more engaging and lively as political events of the time were still vividly memorable. It set to suggest that social contract between the Acholi and the state transfers authority that the Acholi enjoy in the state of *kaka* to the state as a political body (see: Rawls, 2007: 129). Typically, it follows that the political authority of the state and its analogues, when looked at normatively, exists in justifying why Acholiland ought to continue as part of the Uganda state. The form of equity that supposedly exhibited by the culture of facultative mutualism among the *gangi* agnates is not sufficiently specific to rule in the modern time. Simply: experience – as expressed in the previous chapter - showed that social contracts entered into under the *kaka* system could not easily be enforced when violated (Fablenne, 2010:5).

Arguably, the majority of respondents view land grabs in Acholiland during the NRM as speedy and large-scale appropriation of "customary" land by the state agencies and the state house. Like elsewhere, the logic behind land grabs in Africa seems to be based on commerce that are mainly foreign-based or backed by government agencies (see: White *et al.*, 2012:624). "Publivate" as a phenomenon in Uganda, manifests a form of predatory interaction and as such a form of slavery. It demonstrates how international community links up with "local investors", often people with political connections, to disfranchise rural Africans (Henri *et al.,* 2011). In the case of Uganda, the state - as Wiley (2012:757) observed of the growing trend in land grabs - uses the post global food crisis effects in the internationalisation of land markets and large-scale land grabs in

Acholiland. Governments, especially the NRM, has smartly linked this issues to the poverty reduction and post-conflict recovery and has been able to get under-the-table support of mainstream western donors in promoting "publivates" as a strategy for its political domination[287]. These agencies are interested in the control of large chunks of land (e.g., Amanor, 2012:722) and thereby creating class of illiterate Acholi as unskilled labour (Wiley, 2012:751 and Woodhouse, 2012:777). Generally, government in this case, has used poverty reduction as scapegoat, to bolster its local sources of private funding. This is because resource these strategies, relevant as they may seem to be, do not resonate with the local realities on the ground[288].

As a result, throughout the twenty-four years of the NRM regime under review, the state clearly failed to use post-conflict approaches to define an investment menu for Acholiland as part of its growth-oriented strategies. It ignored local viewpoints as represented by MPs regarding the demanded local development and this contestations and differencing viewpoints between the local and government costs the government in four of the five national elections[289]. Development in Acholiland has continued to be elusive[290]. Where firm results have been noticeable, it was in most cases, the work of foreign actors: CSOs and in some instances, churches, implying that real development is outsourced to other legal actors (Schupper and Gunner, 2011). The major argument from the World Bank and the Government has been that insecurity over the last twenty-five years affected opportunities for development in Acholiland. Additionally, it eroded local capacity to absorb resources (PRDP, 2007). Furthermore, poverty and violence are mutually reinforcing, having worked against investments in the north (NUSAF, 2004). In the absence of national political will to analyse, listen to

[287]Recent agribusiness programmes in Uganda that are supported by donors are clear evidence of this move. Discussing with other technocrats, there seem to be a consensus that the surge for class formation as an economic strategy by the current government points to desire of the government to push on with this policy.

[288] In the case of Madhvani Sugar Works, a reconstruction and recovery piece would have considered the local dimension, the boosting of the community-oriented interventions including out-growers components.

[289]Past governments including Idi Amin used to undertake feasibility studies as pre-qualifying steps for foreign investments. When I worked in Uganda Development Bank from 1983 to 1991, the bank was one of such instrument that ensured that foreign investments were analysed for their technical, financial and social impacts.

[290] The amount of resources pumped in Acholiland from both private and official sources since 1986 is not commensurate with the visible outcomes seen on the ground. In 2004, the CSOs undertook a study, which confirmed that there was an annual wastage of a 2.6 per cent GDP due to insecurity caused by the LRA.

internal options within Acholiland and implement pro-poor investments, the state – particularly in the last thirty years – has continued to think for the Acholi, use military democracy, co-opting strategy and its constitutional powers to maintain its agenda in development in Acholiland that in the long-run will see the poor succumb to the forces of market economy.

First, the government applied pressure, intimidations and co-options where it had pressing interests within Acholi, as was the case of the Apaa Game reserve, where occupants were thrown off the land[291]. It structured its engagement by use of its cadres, the Resident District Commissioners and other military forms of administration, to enforce those interests[292]. This has resulted in the creation of fear, displacement camps, categorisation of people and violation of individual rights as they target those seen as political activists (e.g., Dolan, 2011: 226-228). In successful implementation of its interests, the NRM has mainstreamed the District Resident Commissioners and the security arms in the Local Government structures (see also: Missier, 2012)[293]. These cadres support the military by priming and co-opting the civilian within its political parameters. Most of these cadres are Acholi who have consciously or unconsciously identified with the NRM goals. Hence, the government has maintained its political power from within the formal structures as well as outside it by co-opting men and women, to identify and act on discrepancies in their line of actions. By deploying unrestricted levels of coercion and formalised patronage, some divergence in interest was further introduced. This development builds on the culture of honesty and resilience, which I have discussed in chapter eight. It has led to the second significant effect, in which some Acholi in particular, the elite within the country and outside have chosen to disengage from direct support of the community. Such forms of disengagement existed also during Amin's era and perhaps are not signs of disagreement with the opinion or views of the community. Rather, as some of the respondents have intimated, these are

[291] For an analysis of the Apaa Game Reserve eviction, see Refugee Laws of the Makerere University www.refugeelaws.org

[292] Discussions held with local politicians: Prof Latigo Ogenga, Norbert Mao - who have been subjected to harassments by the system.

[293] Interviews with scholars like Prof. Ogenga Latigo. Also see scholarly work on decentralisation by Missier, 2012.

manifestation of fear and discontent – in what they refer to as *"gwoke pe lworo"*[294].

Interactions of Traditional, Formal and Informal Systems

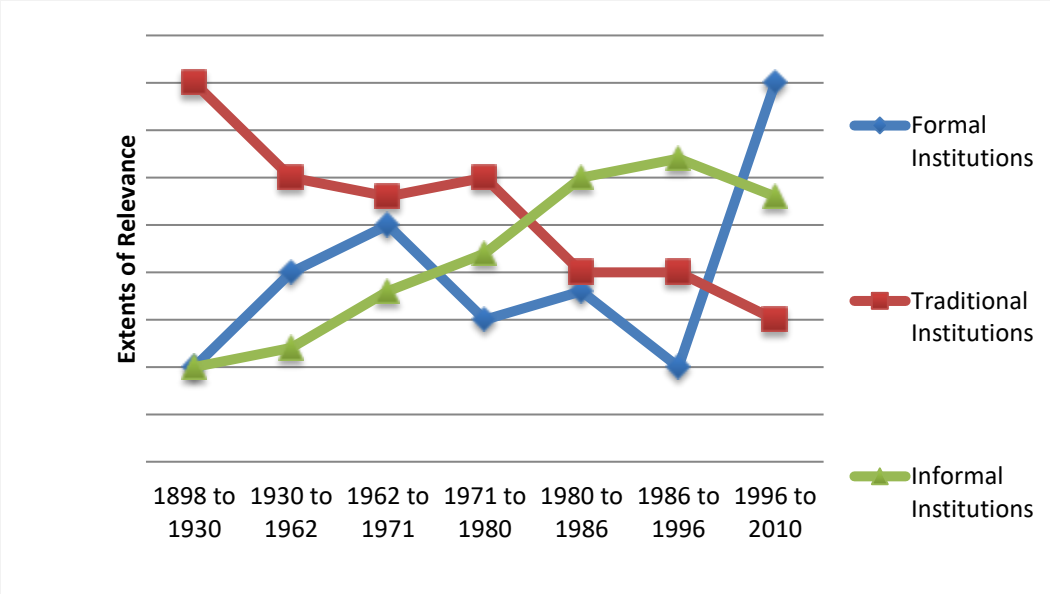
Interaction, I have argued, influences the type and mode of relationships that are exhibited among political actors (e.g., Kooiman, 2003: Chapter 1). Traditional institutions like *kaka* had developed norms and cultures as instruments of governance. This enabled during the pre-colonial and the early part of colonialism the application of differentiated forms of facultative mutualism among the different agnates that consociated into a *kaka*. The manifestation of facultative mutualism as a culture at the macro-levels of interactions was seemingly influenced by how the fiduciary cultures at the micro-level of interactions operated. For instance, smaller *kaka* like *kaka* Alero, were often seen to have demonstrated a highly equal treatment of each other when compared with those where the core-agnates were rather prominent like was the case with Payiira, Pajule and Patiko. As such, the fiduciary culture of the *gangi* agnates, it is argued, did not in the extent possible, supported a development of a stronger identity at the macro-level. To the contrary, it strengthened the lineage-based orientation and fiduciary duties of the compound families.

However, formal institutions, on the other hand, are hierarchical and therefore, authoritative - often exude as instructive sources of knowledge and specialised authorities. As such, they tend to create a form of ruler-subject dialogue and interaction. Informal institutions are behaviours that are innovations developed to substitute, complement or reinforce, compete and/or enable the others. *Figure 5.2* was developed through focus group discussions, to explain how respondents felt or perceived the legitimacies of the different institutions in their interactions with the Acholi community. These results were validated with the trailblazers – the original twenty respondents but also it was discussed informally in various meetings with individuals and groups, including during a funeral in Pader. The extent of how relevant the instruments were - which is provided on the vertical axis - increases as one goes up the axis. The purpose of the dialogue was to gauge how respondents and other people met, actually

[294]This means playing safe is no sign of cowardice as it seems preservation has been elevated by the system as the only way to avoid being labelled an opposition

viewed the legitimacies of these pluralistic legal systems. Usually, legitimacy both elucidates why the use of political power by a system is allowable and why there is a *pro tanto* moral duty for obeying the commands (Fabienne, 2010).

Figure 5.2: Changing Legitimacies of Governing Instruments, 1898 to 2010



Source: Field Data, 2013/4

In the discussions, I both systematically and informally, laid out questions of sources and effectiveness of these powers, seeking to explore how the governing instruments under pluralistic systems were perceived to have responded to what the Acholi felt were their natural rights to protection, food security and social justice over the years. This discussion builds on my conceptualisation chapter, where four outcomes of interactions were envisioned. These include complementing - where their efforts strengthen the achievements of outcomes by enabling them; and accommodating – where they facilitate the others. Thirdly, is competing – where they conflict and thereby undermine each other and finally, where in weaker situation, they substitute each other.

Pre-colonial and colonial era, 1898 to 1962

The core respondents shared their views regarding the relevance of and effects of governing instruments or the legitimacies of the various political actors based on their policies and social rules in forming a pluralistic environment of interactions. The questions were framed in the context of how institutional legitimacies of these various actors impacted on the rights to, access and

availability of food, human protection and social justice – which I have maintained is part of household livelihood security (Frankenberger, 1996)[295]. *Figures 5.2* and *5.3* suggest that from 1898 to 1965, the majority of the Acholi respondents who engaged in this discussion conceptualised that *kaka* as traditional institutions - were normatively engaged in governance and were justifiably legitimate.

As observed by Beetham (1991:11) when explaining the contradictions raised by scholars (see for instance: Raz, 1986, Simmions, 2001 and Buchanan, 2002) in conceptualising legitimacy, there was a general view from respondents that the power relationship between *kaka* and the community was legitimate because people believed in it as a moral duty and were able to justify why they can and should do that (Habermas, 1979: 205). The feeling was that actual legitimacy of *kaka* was tied to what was necessary for legitimacy, which included its obligations to the community (see: Fabinne, 2010: 3). For instance, during the colonial era, the rights to food security, protection and social justice depended on understanding the context and historical trajectory of these rights. The right to food and protection for a child, for instance, were historically the obligations of older people. The respondents argued that from information passed on to them, *kaka* and *ludito kaka* generally offered better opportunities for implementing these rights. They argued that formal systems, like the courts of law, on the contrary, forces its legitimacy– which was seen as counter-productive. They were also established within the society, albeit, in a kind of flux. A case most referred to was violence against women, which the *ludito kaka* and the Church had worked to reduce through mediation and an equivalent charge to men, for "gathering the clan" to reconcile the parties. However, the formal court, they noted, would fine men for such abuse in addition to imprisonment - thereby aggravating the entire situation for both parties, including the women[296].

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[295] A full definition of food security includes the related concepts of access, sufficiency, security or vulnerability, and sustainability. As such, it looks at the holistic approach to food provision and sees participation as an important element as well as health, education, energy, etc.

[296] Older women noted that in the 1950s and 1960s, such offender may either be given a community task, which would include working for the County Authority by cleaning the roadside. Often this interfered with men's contribution to household labour. In cases where they were imprison, the spouse would be left with no support for gardening, which in the long, undermined the capacity of the household in food production.

First and second part of post-colonial eras, 1962 to 1985

Figure 5.2 also shows that from 1962 to 1986, *kaka's* legitimacy while was still higher than the rest, was declining particularly in the 1980s. In line with John Simmons (2001) argument, *kaka's* political authority as a moral justification of its traditional role became vulnerable to the new mode of doing business. This is because elders and households, as the governing architectures of the Acholi society could not effectively prove the worth and moral values of traditions in the era dominated by western values. As such, *kaka* lost the political legitimacy to command authority that could change the declining trends or in generating political obligations (Simmons, 2001:137). For instance, both the core and the trailblazing respondents from all research sites noted increase in theft of foodstuff from granaries since the 1970s.

> **Even during *kec abongo wang dako*,[297] we did not have a case of people in villages stealing from the granaries of others. This is because it was a bad omen for one to do so.**

Interview with Mzee Juru in Amuru, June 2010

This in part, symbolised moral degeneration in societal response in the present time, to the authority of traditions that sanctioned against such behaviours.

The political authority of *kaka* in the early colonial era had sufficient claims in generating the obligations of the members. According to the respondents, even until the 1960s, most huts in the rural Acholi had no permanent doors as custom prohibited anyone to enter into someone else's house when the owners were absent. The exception, however, was if one was in need of something specific from the hut that would be communicated to the owners of the home on their return. However, security of lives and properties have also since changed, partly because people do not honour these customs, but also on the difficulties of relying on kin as most have no alternatives.

The legitimacy of the formal systems according to *Figure 5.2* was the lowest overall since the 1898. This negative trend continued to decline further during this period under review. In fact, while formal system, according to my

[297] *Kec abong wang dako* was a famine reported to have occurred between 1948 and 1950. The presence of locusts and drought reportedly cause decline in harvest of millet and other crops. "*abongo wang dako*" literally means "feeling the face of a woman" to check when she was asleep so that one would go and check if there was still some food remaining in the cooking pot

respondents, received a boost of legitimacy in the early 1960s, it declined in the 1970s through to 1986, a period which coincides with Idi Amin and Obote II eras in Uganda. In other words, the regimes that followed the immediate post-independent government of Obote I, failed to galvanise legitimacy in Acholiland. This scenario attests to the view advanced by Simmons (2001:125) that political authority is distinct from its political legitimacy. This is because the legitimacy of any political authority would depend on whether the transfer of such authority was democratically mediated (see: Locke, 1980:52). In the case of Uganda, the Obote II era was considered by some as illegitimate. This view was strong in Buganda and it gave ground for NRA to use Buganda as a battleground against the Obote regime and it eventually took control of Uganda state in 1986[298]. Similarly, Idi Amin's regime, 1971 to 1979 was arguably, out rightly illegitimate. Hence, throughout these periods, the people of Acholi, according to the respondents, did not consent to the authorities of the state. Rather, the state governments that existed held effective authority but they ceased to be legitimate and therefore, did not command the obligations of the people of Acholi (see: Rawls, 2007: 124; Locke, 1980: 52). This reaction created two significant outcomes. First, it created the emergence of informal system of behaviours, including the growth of resistance to political authority since people felt not obligated to the state authority (see: Rawls, 2007: 124). The rise of resistance commanded support from imagined communities and became a force against Obote II and Amin's era. Secondly, this granted political legitimacy as the justification of coercive power to agencies in the informal system.

In the wake of these poor performances of both the formal and traditional systems as observed during this period, the informal institutions, it seems, gained credentials as depicted by the respondents in *Figure 5.2*. This seems to support Simmons' (2001:125) assertion that the authority of the state actually depends on its moral defensibility by showing causes for its existence at the realm of governance. This, however, does not mean that Uganda state lacked authority. From 1971 through to 1985, the Acholi witnessed increased state coercion, where respondents admitted that many leading Acholi men especially were eliminated (Branch, 2011: 53-58). Raz's (2006) views of effective authority are its ability to change the reasons that apply to others – which he refers to as pre-emptive reasons. In this case, even without the political

[298] Interviews in Gulu and Kitgum with Acholi politicians in August 1998 and in 2006.

legitimacy, the Uganda state during the time would use the state laws and military decrees to the Acholi to conform to its authority, changing their own reasons for even resisting the oppressions from the state. A case in point is how many youth wingers from UPC party in Acholi, who believed in changing the Amin's system, were ordered by fear to give up the struggle and even exposed others involved.

The second part of post-colonial era – the NRM, 1986 to 2010

Figure 5.2 continues to show how *kaka's* legitimacy continued to fade as its relevance and political authority to confront the complex governing situation further weakened. Ideally, the traditional growth of *ludito kaka* was halted by intensified formal education in the 1960s through to-date. This is in addition to other globalised orientations that most leaders from Acholiland received since colonialism. *Ludito* as an institution during that period depicted elders with cross-modern views of the world. *Kaka,* thus*,* in the wake of increased displacement - which started in 1986 but was officially launched in 1998 - could hardly impact positively on the rights of the Acholi people (Atkinson, 2010: Chapter 10). *Kaka* governing infrastructures by 1986 was fully subsumed within the formal governing system, disallowing localised form of effective mobilisation. Ideally, *kaka* and the Acholi had reached a stage of entropy, having consented to a covenant of chaos that did not guarantee any meaningful protection (see; Dolan, 2011: Chapters 3,5,9). The Acholi ideally transferred their rights to a constellation of individuals and groups of sympathisers – in what Hobbes terms "sovereignty by institution" during this period (Fabienne, 2010: 9).

Conversely, formal institutions – the international NGOs, the state and LG surged in importance from 1986 onwards according to respondents. These organisations formed the constellation of legitimate actors that set to compete and sometimes support each other in renegotiating the rights of the Acholi people in the wake of societal entropy. According to my respondents, the state's political authority, however justified, did not sufficiently attain due legitimacy. This meant that its actions did not generate sufficient obligations of the people, as evident in how it resorted to force in enforcing its authorities in the area[299]. The

[299] The respondents narrated evidents of these assertions. They admitted that use of force during colonial time was institutionalized and *ogwang gweno,* a name given to local police at the local administration demonstrated how people viewed them. Literally, this name explains how these local police were seen as wild cats who raid chicken in people's homestead. Typically, this was also the case during post-colonial period.

NRM legitimacy in Acholiland was tested in three consecutive general elections of 1996 and the subsequent ones in 2001 and 2006. In all the cases, it overwhelmingly lost elections in Acholiland to the opposition. The NRM's use of *de facto* or effective authority aimed to change the reasons that apply to the Acholi people. Some of such reasons, which were picked by the LRA rouges and made key issues in their Juba negotiation, have hardly been addressed even to-date bu government (Branch, 2011: 58, 76-77, 80).

In the case of insecurity, the NRM maintains that the absence of "credible" leaders in Acholiland, discussed earlier in chapter three, was the main reason for prolonged insurgency in the region[300]. To counter this, the NRM decided to hand pick its perceived loyalists from among the Acholi, viewing these as its "transformative" cadres, who would implement its change. Dolan (2011:72-106) discusses the ambiguities surrounding Joseph Kony's LRA questions in clarifying the connectedness of this group to the Acholi people. Overall, he supports the assertion that core in the UPDF's strategy in Acholiland was the need to humiliate the Acholi for their perceived positions of opposition. Needless to add that as demonstrated over those years, there were many mismatches between the NRM actions in Acholiland when critically seen from post-conflict recovery and development points (e.g., Dolan, 2011: 252-255).

Many of my core respondents and some scholars have argued that in the last thirty years, economic growth in Uganda for instance, depicted a dichotomy that reflects the legitimacy of the NRM in northern Uganda, including Acholiland[301]. As discussed elsewhere in this study, the number of the Acholi living in poverty, whether in Acholiland or anywhere within Uganda increased significantly during the NRM period from what it was at the end of 1985. In line with Raz's (1998:56) argument, because the NRM during 1986 to 2010 was seen as illegitimate and because legitimate authority is conceived as what serves the governed – service conception of authority –the NRM has conveniently failed to serve the Acholi people. What it has continued to do, however, is to claim that it is doing its best, or that the Acholi are not supporting its course. Together with its partners, government has demonstrated for the people in Acholi that it has power to ignore them. However, the Acholi under the circumstance, have to comply

[300] See for instance the report produced by HRPC in 2004 under the Project No. UGA/02/U01, May 03, 2004.

with the reasons government and its perceived partners apply to in their case. And, the question of leadership in Acholiland continued to be used by government. By staking insecurity to poor internal leadership in Acholi, the NRM arguably, confirms that Acholi is a limited statehood as a geographical location – where it lacked the full oversight of the state.

The informal institutions on the other hand gained significant grounds according to respondents in this phase. These were behaviour changes that were practiced in response to the cumulative impact of the failing *kaka* and the legal systems in governance. In practice, the emergence of armed groups, supposedly to provide security to the Acholi people prior to the fall of Acholiland in March 1986 to the NRA are some of the evidence given. They also felt that the decline in the institutions of governance was exacerbated by the attitudes of the military regimes - which characterised Uganda national governance system since colonialism. From discussions, it was clear that the informal rules, that is, survival behaviours, substituted for both formal and traditional institutions in a number of key areas of physical rights, especially from the 1970s to 2010. The traditional practice of *caka,* or borrowing/ loaning food from neighbours or the modern practice of money as a strategy for food security, were replaced by the informal and contemporary means, which included stealing and food aid[302].

During the LRA insurgency, two things happened that demonstrate lapse in the institutions of governance. One was that a ruthless youth group, whom people referred to as *boo kec*, became a new form of authority in Acholi (see: Finnström, 2008:3). *Boo kec* emerged in the vacuum of both formal and traditional laws that had constrained behaviours of groups or individuals in Acholiland. Similarly, the emergence of the LRA is also seen as a behavioural change that signalled the lapse in culture as well as the absence of a state enforcement system. In the latter case, it depicts Acholi as a limited statehood where the people were not protected by a sovereign state[303]. The LRA thus became a behaviour that diverted from the norm, in the wake of a disintegrating social system, which since the 1900s, had relinquished the role of human protection to the state. .

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[302]Interviews and focus group discussions held over the periods in a number of locations that validated the information collected during CARE International study of 1998 carried in Kitgum District by the author.

[303]Focus group analysis by the respondents

By 2010, Acholi as a society was virtually destroyed. The primordial as well as the locality or neighbourhood social ties had significantly eroded, spiralling into more conflicts over land. The disintegration of households as the foundation of the clan seems to have been the kingpin. There were several parallel governance systems working in tandem, some against the re-establishment of a traditional homestead or even the household structures in place. The experiences in the camps, argued one elder, showed how the traditional meaning of domestic violence– *daa me paco* or *daa me ot* -were distorted by pluralism. The rights-based approaches, advanced by the foreign NGOs, albeit with good intentions, escalated the interpretation of domestic disagreements to mean more than what the Acholi had practiced. They further personalised the effects of the disagreements to mean individual violence to mainly women. These new interpretations and meanings to *daa paco* dominated the legal and perhaps, the most preferred strategy in addressing the rights of the households in terms of food security, protection and social justice.

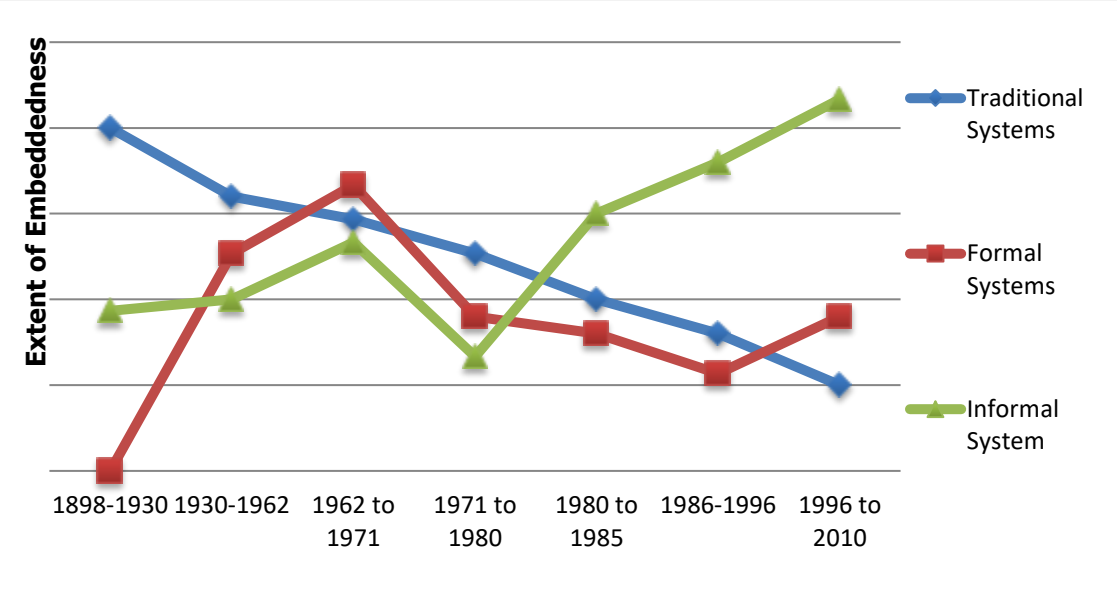
While the call for peace and a return to villages resonated with virtually everybody in displacement, the expression of these views did not coalesce at the vital familial structures, especially with the newfound ideology of individual rights. The absence of viable political organisations or institutions within the community became evident. The Local Council structures, however committed and aware of the realities, lacked the political muscle to enforce people's will. LCs is the statuary arm of the NRM government even where the NRM was not elected (e.g., Missier, 2012). This leads to resource issues, both financial and technical. The Council depended on central funds and they had to work with the bureaucrats, whose capacities were wanting, and the NGOs/CSOs, most of whom were ill equipped morally and technically to deliver save for emergency parameters. This confusion shed light on the working relationships between the different institutions.

The Trends in Governing Interactions

By governing actors, I refer to social-political actors, representing the multilateral groups, namely: those in the formal sector - the public and civil servants – as employees of governments, acting mainly based on formal rules (Kooiman, 2003: 15). Their influencing actions have *provisos* attached to them. Then, there were the *ludito* as traditional leaders and actors, discussed

extensively in Chapter Six. The third category were actors broadly categorised as informal – a group that included private sector organisations, NGOs and civil society organisations, who constitute the non-governmental actors. While the private sector – such as professional societies, traders and others were guided by contracts, the civil society organisations – including community groups and local NGOs – on the other hand, used pluralistic approaches in resolving the livelihood insecurity of the Acholi people, for instance, by working towards the attainment of food security, protection and social justice.

Figure 5.3: The Trends in the Governing Actors and Interactions in Acholiland from 1898 to 2010



Source: Field Data, 2013

Governing interactions in this case describe all types of governing efforts resulting from these diverse efforts - both internal[304]and external to the Acholi systems. Kooiman (2003:1) sees governing interactions as exchanges that are mutually influencing relations. Such exchanges include elements of sound

[304] In Chapter 4, we noted that governance starts at the household levels, involving the husband (*won ot* or father of the house – plural *wegi odi*) and his wife (*dako ne*) or wives (*mon ot ne*) and the children (*lotion* or *latin* for singular), both girls (*anyira* or *nyako* for singular) and boys (*awobe* or *awobi* for singular). It then escalates through to *dog gang* (*dog gangi* for plural) or village level and *kaka* or *kaka madit* (higher levels of clans or collective levels of clans).

social-political administration, and the management of community resources and democratic politics. My sense of this following my work elsewhere and in Acholiland is that social-political interactions are often mediated by mistrust and trust. As such, it is not necessarily mutually influencing[305]. Rather, trust and mistrust, according to the respondents, have continued to define the nature of social-political interactions in Acholiland. In tolerating "outsiders'" mode of interactions, the Acholi have developed a process of learning, which enables the renegotiation of how long-term interactions can attain equilibrium that has defined the meaning of their co-existence. The equilibrium might turn out to be one in which one side dominates the governing efforts. Be that as it may, as an interaction, it is never a one-way relation.

Most societal interactions within Acholi as a colonial society were informal, allowing exchanges that are mutually influencing and respected. However, most interactions are, according to respondents, formalised - including documentation as minutes or record notes – when engaging the formal sector. It is normally in these formalities or informalities that trust or mistrust are defined. *Figure 5.3* shows how the respondents interpreted governing interaction efforts of the political actors and how mistrust and trust influenced the achievement of their joined efforts.

Trends in the rights of an Acholi under different systems

From *Figure 5.3*, it can be stated that during the initial phase of the contemporary Acholiland[306], the Acholi had more trust in the traditional institutions. This entrustment of *kaka* obliged the community to comply with all commands of the colonial authorities. This is because as Rawls (2007:129) puts it, even when the colonial authorities were considered unjust and morally illegitimate, they were the *de facto* or effective political authorities over Acholiland as a political territory of Uganda. And, because legitimacy relates primarily to political institutions, *kaka* used its legitimacy to enter into a social contract with the formal political agents of the colonial authorities[307]. Locke (1980:63) notes

[305]I have also discussed *gen* – an Acholi word that is loosely used as trust - in the Acholi context, to explore what trust (*gen*) and mistrust (*gen pe*) actually mean to an Acholi. In the earlier chapters

[306]Which I have identified as the colonial period, 1898 to 1962

[307]For instance, in the 1898, some *rwodi* Acholi signed agreements with Major Radcliffe. The respondents were not conversant with the contents of the said treaties. However, *rwodi* Acholi signed many treaties with chiefs and District

that by *kaka* consenting to social contracts with the colonial authorities, it knowingly or unknowingly was bound to obey the orders of the colonial authorities. In order to understand the dynamics of institutional mistrust and trust in the context of change, I have focused this analysis on one aspect of household livelihood security, the food security rights, as one example of how institutional interactions guided by trust and mistrust, have influenced the outcome of livelihoods security in Acholiland.

Efforts during colonial era, 1898 to 1962

On the basic rights – which are the household livelihood security during the colonial and first part of the post-colonial governments – respondents noted that a constellation of actors: the LGs, CSOs and *kaka* combined efforts resulted in improved agriculture production, which included livestock production (see: Leys, 1967; Pain, 1998). *Kaka,* particularly at the food production level - *dog gang* and *dye-kal* - used its historically recognised legitimacy or what Kooiman (2003) terms as its political capital, to mobilise local CSOs for *awak*, a community-based collectivised service in response to colonial authority's demand for increasing production (see: Allen, 1998). Trusting in the leadership of the *kaka*, various social groups in Acholiland mobilised human capital and allocated land for agriculture, to exploit new agricultural technologies and extension services provided by LGs, private sector - like the British American Tobacco and the Indian Cotton Ginners - and the centre. This resulted in increased agriculture production of cash and food crops (see: Pain, 1998 and Leys, 1967).

This form of partnerships involving the traditional, formal and informal systems improved food availability when measured from the traditional baseline of 1898, although in some instances with significant challenges. Within this initial phase, LG exploited its *de facto* authority over the Acholi by using its own extension workers and messages in providing agricultural technologies that "revolutionised" agriculture in Acholiland (e.g., Ley, 1967: 51). *Rwodi kweri* as part of the traditional system, were co-opted into the formal system in compliance with existing social contract the traditional system had with LG. *Rwodi kweri* were induced with new skills, to use their legitimate authority to effect change in the production system in tandem with colonial interests. Coercions by the formal

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Commissioners, which specifically tied them to working with LGs. Such example included the posting of some rwodi like Rwot Olya as Sub-county Chief of Atyak.

system, it seems, were used to realign production to the benefits designated for the formal system (see: Pain, 1998).

While the combinations of these reactions from the various actors improved the baseline position in food security, indigenous knowledge were marginalised under the new extension innovations - which were seen as a tool for modernisation. In the aftermath of the structural adjustment reforms of the 1980s and 1990s, the informal sectors – the private sector and NGOs – plugged into this sector, taking advantage of the limited statehood in Acholiland as mentioned earlier. Albeit its illegitimacy, the state used its political authority to transform the livelihood security of the Acholi by exploiting its political authority and contracting the services of the NGOs, CSOs and private sector in the agriculture and food sector programmes.

Post-colonial eras, 1962 to 2010

These constellations of actors were obliged by social contracts entered with state agents, to deliver specific tasks. The clarity of these tasks became more visible in the later periods of the Uganda state. For instance, in the 2000s, social contracts were framed within Budget Support System of the Government of Uganda[308]. This instrument bound all political actors to tasks that constellate into outcomes that contribute to a state-led agenda for poverty reduction framework, the Poverty Reduction Strategy Framework.

Particularly, during the NRM period, the new concept of governance as discussed in Chapter Two became very evident. Respondents acknowledged that legal pluralism or governance as conceptualised in Chapter Two became a dominant feature in Acholiland. Particularly, from 1988 to-date, the international NGOs and the UN became synonymous with community governance. These actors funded CSOs and special LG programmes with some innovations that included targeting of the women, youth and what other vulnerable households and their livelihood security (PRDP, 2007). They also targeted training in new skills and in transformative behaviours and communications, targeting local CSOs, elevating them into locally based change agents in a more gender sensitive manner. These NGOs at the end, created within the community and

[308]Refer to the World Bank and DFID analyses of the budget support to Uganda, which can be found in World Bank reports available at: http://www.worldbank.org .

outside it, a “critical mass” of knowledge structures deciphered by their hubs and linked to the academics that were mainly externally mediated. Their interventions changed the patterns of knowledge and ownership, cultures and their meanings, as the Acholi community became merely the unrecognised respondents.

The respondents remembered that interventions of NGOs in Acholiland began way back in the late 1970s. ACORD, they indicated, played significant role in transforming agriculture and livelihood security in Acholiland. They recalled how ACORD re-introduced oxen-plough technologies in the 1970s and 1980s in supporting agriculture transformation. The style of their work, the emphasis and the intention of these NGOs, they argued, have shifted drastically over the years. While in the 1970s, they seem to have the lead in introducing new technologies and increasing production, in the later periods, they have been working particularly on the software of development: the gender mainstreaming and targeted groups.

A report by the World Bank (2002) in which I contributed, concluded that communities in Acholiland had more faith in CSOs and NGOs than in any other stakeholders. In fact the result of stakeholders’ analyses showed that communities in Acholiland did not trust government with their lives or household livelihood security, a constitutional function of the state[309]. The main reasons advanced by the communities surveyed in Acholiland for their preference were tied to governance. For instance, they felt that these informal actors had better understanding of their situation, were technically more embedded and relevant. Additional support to these agencies through the Bank funding would improve their impact to the community.

As reflected in *Figure 5.2*, this surge in legal pluralism involving non-governmental organisations picked up globally following the reforms in governance in the 1980s, as discussed in Chapter Two[310]. The activities of these actors in the case of northern Uganda peaked during the 1980s through to 2010. This demonstrated that Acholiland was a limited statehood – where the state had outsourced its core fragility mandates to foreign-based NGOs. Ideally, Acholiland became a “protectorate” of the Uganda state.

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[309]The same report interestingly found that communities in Kotido District that LG was the most trusted by communities

[310] See also works on Uganda led by the Norwegian Embassy (Thue *et al.,* 2002)

CSOs and change in Acholiland

Foreign NGOs are known to collaborate across-the-board - working for and with the community, but also for the public and private sectors as interlocutors for change[311]. In Acholiland, INGOs like Save the Children Fund have directly or through local NGOs and CSOs worked with and for the state, providing specialised services and adding value to state-driven programmes[312]. Some of these duties include mainstreaming gender and environment as added values to existing LG programmes. They also in some instances, target within existing programmes the "vulnerable groups". The latter, for various reasons, are situated in rather extreme and unattainable conditions that demand some form of fiduciary duties[313].

Here, these CSOs mobilised additional resources in some instances, to fill in these gaps, which are significant in national programming[314]. An elder in Pabbo camp, however, observed that some of these specialised niches targeted by CSOs were supply led and new "technologies" developed by outsiders for change in the circumstance. As such, foreign NGOs in particular, have in addition, introduced western values as part of the "global" input under the equity window. These new areas, mainly seen as right-based approaches, became additional menu for driving recovery in the stressful northern environment.

For instance, in advocating for children's rights in conflict situation, my sense is that these humanitarian-cum-development partners decided to shift the tenor of national and local policies regarding children. In a sense, they reimagined children in Acholiland from western-based themes of vulnerability, frailty, victimisation and incapability (see Drumbl, 2012:5-9; Boyden, 1997:125).

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[311] In Acholiland, both the UN and INGOs - like Save the Children Fund, Norwegian Church Aid - humanitarian efforts were channelled through CSOs (women groups, youth, etc.) and national Nosing these cases, they work for government to implement its constitutional mandates in Acholiland.

[312] Most state programmes do not budget for what today have become the niches for CSOs. These are seen as crosscutting issues: gender, conflict sensitivity, vulnerability and environment matters. NGOs and especially foreign ones have been instrumental in mainstreaming these themes in state-driven programmes.

[313] Discussion with implementers of the programmes.

[314] It is important to note that having worked for over 14 years as part of the donor community in supporting budget processes in developing economy, I am conversant with these gaps. In the case of Uganda, there was a donor sub-group designated to ensure that these significant activities that fall outside the mainstream sector-based budget lines, were considered together with government.

Needless to emphasise that these children lived then in an environment that did not guarantee most forms of human protection (Dolan, 2011: Chapter 4). The core assumption that children in Acholiland are victims and incapable, ignore the basic notion that a child in Acholiland is viewed as a human and living being – *latin wai dano adana*. As Opiyo-Oloya (2013) alluded to while discussing child soldiers in Acholiland, *dano adana* is about humanity and denotes some level of capability and therefore responsibility that even a child can offer to their society (Opiyo-Oloya, 2013:123, 157). In a sense, western-based conceptualisation of children wrongly exaggerates the passiveness and victimhood of an Acholi child (see: Drumbl, 2012: 18-22). From the discussions held, this motive devalue some of the traditionally renowned roles an Acholi child played in their society (Opiyo-Oloya, 2013:17, 21-22)[315].

NGOs have also been conduits for the implementation of community-based programmes[316] and in disseminating whatever these programmes intended to do. As such, they supported communities to articulate their own priorities[317]. The role of CSOs and other non-state organisations, particularly in the last thirty years, in the quest for the preservation, protection or promotion of "universal human rights or values" in Acholi have received mixed responses[318]. While others have focused on their positive aspects, including supporting the Acholi community (e.g., Finnström, 2008; 134, 174-176)[319], others have been rather unforgiving of the mistakes that CSOs have created in terms of undermining capacity building of the state institutions (Branch, 2011: 30-33).

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[315] In the traditional Acholi culture, a child mentor in form of a sitter or *lapidi* was allocated to a child during naming of the child, which was the third (boy) or forth (girl) days of their birth. *Lapidi* had a define role for the child s/he mentored, supporting the mother in raising a good child. Later, *pidi* became a support service to households, including feeding of the child as her mother toils for the household. As Opiyo-Oloya (2013:17, 21-22) stated, a child is thus, *dano adana*.

[316] Most community-based organisations were conduits for the implementation of socio-economic activities in the area

[317] Foreign–based NGOs like ACORD, Save the Children and Government funded programmes like NUSAF helped in capacity building for self articulation by community groups

[318] See: Discussion with Hon. Norbert Mao as Chairman of Gulu District.

[319] Seveker Finnström, 2008 - for instance observed that WHO released health report that was very telling, however, was until the time for his interview, was made use of by the responsible people. The report was compiled by CSOs in the camps.

NGOs substituting traditional actors

During the post-colonial era and especially from the 1980s on-wards, the NGOs normative engagement with community were, from *Figure 5.3*, inversely correlated to that of *kaka* as a political system, implying that foreign NGOs had subsumed *kaka* into their constituencies, thus, exploiting their political legitimacy in delivering on the expanded tasks that were morally available to the NGOs. These additional tasks for NGOs included provision of services for livelihood security, which are the designated mandate of LGs and the state. State programmes are dominantly supply led in Uganda and they do not necessarily fit into the priorities of the local people[320]. Some specific added value of CSOs interventions in government programmes are highlighted above and included targeted interventions by these NGOs in specific and specialised areas like conflict, gender, HIV/AIDS, and child rights.

Since changes in the content of *kaka* are central to my thesis, I argue that because "universal human rights" as perceived by these western funded CSOs have had mixed outcomes, modernisation has had painful consequences. Unfortunately, CSOs have subsumed the functions of the traditional systems. The Church and religious organisations for instance, have substituted the *kac* and *abila* for spiritual nourishment. In addition, they provide social and economic support to their followers, something that *ludito kaka* have failed to deliver. In the absence of meaningful government structures, CSOs have personalised the state of quagmire in Acholiland and pretty much co-opted families and individuals through gifts and materials that have compromised genuine acceptability. This has halted the growth of agnatic and patrilineal hegemony.

The primary objective of foreign CSOs, argued elders, is to usher cultural change, along the lines of the West.

> **"So, they have preyed on our weaknesses by targeting our women and children. These two are the core of our society. Poverty, ignorance and**

[320] A discussion of how particularly in the North, development grants targeting sector work have failed to address the internally displaced persons' key demands, including security, have been discussed by both the Disaster Management Committees and donor groups that formed a discussion group on northern Uganda, to which I was a member for over five years (1998 to 2005). Similar sentiments can be found in the Local Government Evaluation Reports of 2000 to 2010.

suffering have been fused with Western ideologies with the outcomes that are regrettable."[321]

Not surprisingly, foreign NGOs, in collaboration with local ones, have not only offered better physical comfort to elders who, through them, have continued to enjoy sitting on "their stools", as members of the CSOs would extract messages from them and share with others, something which in the past was transmitted through trusted youngsters[322]. They have carefully taken over elders' societal roles, including in mobilisation and advocacy in the field of traditional conflict mediation and resolution in the case of Acholi. Hence, because of weak institutional capacity within the elders and *kaka* in general and the convergence of interests in reducing death and holding peace, I argue that the actions of these CSOs can implicitly be seen as a form of co-optive relationship.

A set of co-optive relations is demonstrated by perhaps two or more elements of governance. One is the shared interest or goal between the community and these actors, which in this case was the desire for peace (see: James, 1998). They then, in turn, recognise this as an opportunity to gain power and stature because the situation in the north was a global catastrophe. Since CSOs lack bureaucratic guidelines, they have applied co-optive mechanisms and captured the space once occupied by *kaka* as the voices of the oppressed. In doing so, they in fact misinterpret the meanings of the community struggles, disarming them from articulating their collective issues, contending that they understand Acholi society better than even their members of parliament.

There has been a consistent erosion of tradition due to lack of practice and guidance. *Mato oput*, for instance, which Allen (2006) contends was an invention in the wake of the LRA insurgency, had lost legitimacy and relevance partly because the archives of knowledge of practice were disputable. This certainly followed the continuing emphasis by these NGOs of what is seen as "best practices" or the blue prints of globalisation and peace templates produced by the international agencies (Drumbi, 2012). The other dimension was the choice by donors to use CSOs in the agenda of developing the north. Much as

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[321] Quotation from elders during focus group discussion in Pabbo camp obtained in November 2005.

[322] Nuwagaba, Vincent (2014) is a human rights defender, researcher and life member of the Foundation for Human Rights Initiative (FHRI). His comments on the failures of NGOs and especially their wits in taking away the voices of the people makes sense particularly in the Acholi during Museveni period.

one can understand this as an indication of global interest to continue with their humanitarian roles in supporting the recovery of the north, one, however, would doubt the long-term implications of such strategy. This is especially important in view of the under tone raised by elders, which insinuates that change being smuggled by foreign NGOs, conflict with local and customary ideals. This is because the parameters of human rights in this fragile situation are complex, and demand cross modernism, considering the different capacities and relevance of the actors.

The attacks by NGOs on patrilineal hegemony, however thoughtful, were often approached wrongly and left behind the feeling that gender is about women[323]. However, it has become the niche of western supported CSOs, with shortfalls both in the actual meaning and consequences of their work. Hence, CSOs' attempt to add value to recovery could have best been exercised in the presence of programmes with higher multiplier effects on the overall recovery exercises. As a result, the emphasis on gender empowerment in the absence of larger decentralisation programmes, to uplift people merely created areas of conflict and violence. This is because CSOs merely define the change that they can afford to fund but not necessarily achieve. Mr Norbert Mao, who was Chairperson of Gulu District Local Government from 2006 to 2010, has faulted foreign NGOs for co-opting vulnerable people and by doing so, distorting the purpose of what was perceived as their role – to complement local government development[324]. In many sense, the legitimacies of non-governmental actors in Acholiland were moral-based, drawn from the social contract entered between central government and donors, who provided more than sixty per cent of Uganda's budget. As argued by Raz (1995:356), the Acholi society, as a political subject of the Uganda state knowingly or not, consented to the effort of the non-governmental organisations. This consent became the main source of the current contract between the government and the NGOs.

[323] Talking to the youth in one of my many engagements, it was interesting to learn that when they make reference as "my gender", they actually meant their girlfriends.

[324] In one of my many one to one discussion with Hon Norbert Mao, a Lawyer, 10 years as a member of parliament for Gulu Municipality, five years as Chairperson of Local Council, Gulu District and currently president general of the Democratic Party.

Is Acholi a Case of Limited Statehood?

In chapter three, I argued that Uganda, like all developing states, has failed the litmus test of a modern statehood (See: Rubongoya, 2007:4; Thomson, 2010:Location 383). "Governance packages" (see: Russel, 2011)[325] for a modern state, which are the normative list of "good governance" used by western democracies, have not yet worked in all developing countries, including Uganda (e.g., Risse, 2011: 11-15). Specifically in the case of Uganda, Rubongoya (2007:23-29, 39-41) and others (see: Tripp, 2010) have asserted how, through history, *neo-patrimonial* statehood in Uganda has worked against the development of the modern state. As such, Acholi and most parts of northern Uganda represent cases of limited statehood because the 'central authority' has not been able to enforce good governance consistently. In the case of Acholiland, the government failed for over twenty years to "implement and enforce rules and decisions…at least temporarily" (Risse, 2011:10-20). An ideal statehood has full internal and external sovereignty but above all, the capability to deliver services for its citizens (Risse, 2011:18-20). The majority of the respondents also agree "Government in Acholiland thus became virtually synonymous with police" (Sathyamurthy, 1986:343).

"Direct" Verses "Indirect" Rule in Acholi

The colonial product of institutional innovation - the corporate Local Government – was an alternative mask for an African governance model (Mamdani, 1996). "Indirect rule", according to the architect, Fredrick Lugard, aimed to work through "native leaders" and utilising native social structures (Lugard, 2008). Under indirect rule, a British political officer would take charge of the administration and would use their discretion to make things work as he deemed fit (see: Dierburg, 1926). Hence, foreign political officers technically were advisers to the native chiefs. This is similar to current advisory situations, with foreign expatriates in developing countries. The advisers had the latitude to create what they called "warrant chiefs", who had no political legitimacy (see: Gilbert and Reynolds, 2008:327). This was a positive attribute because they have no conflict of interest but do what it takes to make their employer happy.

[325]The package of modern state is the "good governance", which is made up of an effective government, the rule of law, human rights, democracy, market economy and a degree of social welfare (Russel, 2011)

Acholi *macon* had no semblance of despotic rulers, and "indirect rule", in the case of Acholi where such outfits were lacking, demanded the establishment of these genuine authoritarian structures. Colonialists assigned "warrant chiefs" who were selected by them as real leaders (Leys, 1967:40-60; P'Ojok, 2007). They did this by applying the native policy that allowed them employ expatriates from Buganda and elsewhere to help redesign local governance, which mirrored their "modern governance" system, the Baganda model (see: Mamdani, 2002). As such, traditional structures were amalgamated, in some instances, piling enemy clans like the Payiira and Padibe together, and depending on the *rwot* at the helm of that *kaka*, the *rwot* could become a chief or sub-chief, or locally referred to as *jago*. The action created hierarchical structures where horizontal relationships existed prior to 1902.

In the absence of "real leaders", JR Postlethwaite as Commissioner handpicked trusted local expatriates and trained them to carry out his orders, although some *rwodi* Acholi felt uncomfortable with the *modus operandi* of the colonial programmes and absconded from implementing the programmes (Branch, 2011: 46-49). The young men selected from Acholi as clerks based on their ability, loyalty-traits and diligence became the first generation of colonial civil servants in Acholi (e.g., p'Ojok, 2007). The majority of these "well" trained warrant officers were from the *lubong* agnates, who were putative kin in the *luker* agnates. In 1914, they became the first warrant chiefs in the entire Acholi. They were posted arbitrarily to replace the expatriates who had been hired to work on behalf of *rwodi* Acholi.

The new system had nothing in common with the structure of governance that existed earlier (Branch, 2011:48). The result was that the British appointed these chiefs to run a new system that had nothing to do with *kaka* structures but existed to exploit the Acholi (see: Girling, 1960:9). Those *rwodi* Acholi like Rwot Olya of *kaka* Atiak, who continued to work for the colonialists, were delineated by *lwak* (p'Ojok, 2007). In other words, a new system was imposed alongside the old. By the end of his regime in 1917, Postlethwaite and his agents had directly rolled out in Acholi a parallel governing model and *mode operandi* that competed in a number of areas but also supplemented the traditional *kaka* system.

The chiefs had no native rights to the office of the *rwodi* Acholi. They were, in most instances, aliens to the areas where they were posted to operate

(Branch, 2011: 49). Thus, in addition to creating a governing space for the *lubong* as *rwodi kalam* or warrant chiefs, the colonial regime established a trifurcation of power in which the traditional Acholi system competed with a hybrid of the Buganda and the British system on one hand - the civil local authorities administered mainly by the *lubong* – and on the other, a number of kinetic politicians that formed the youth movements of the Acholi politicians. This, I argue, was a fundamental change – one that destroyed moral governance and replaced it with a predatory system, the state that has failed in the whole one hundred and twelve years, to showcase its relevance.

There were also other misconceptions. In general, respondents showed the presence of the army in Acholi went beyond the mere demand for security. As reported in many instances, the national army since 1986 has had conflicting roles in Acholiland, some very demeaning and have been widely discussed elsewhere (see: Dolan, 2011: 22, 61-67, 109, 120 and Chapter 8; Finnström, 2008: 174-180). However, it has always been the non-state actors who manifested stronger engagement in humanitarian discourse in Acholiland. The consistent lack of positive engagement of the government in Acholi during this period was interpreted as its payback to the Acholi, who had consistently voted against the NRM in all the general elections carried then. Such arguments make sense in a *neo-patrimonial* system like Uganda, where patronage is dominant.

> **"We are at the mercy of these foreign children. We are certainly grateful to their governments. They at least bring something for us, which even our local governments cannot do. Where is the government?"**
>
> Respondent from Awach, 2006

However, as part of multilateral and multi-layered engagements by actors in a fragile situation with limited political and technical capacity, Uganda state correctly relied on non-state actors. However, this should have not been seen as additional because it was if anything more profound. The absence of good coordination of these non-state actors, which Office of the Prime Minister was responsible for, justifies the claim that Acholi was a limited statehood. At the local level, there were District Disaster Committees, whose leaders were top civil servants in districts. Records show that their engagements were scanty, as they had to attend to their "core duties", most of which related to their capacity building in the management of decentralised financing by donors. In good faith, the non-

governmental actors took a lead in the agenda of the recovery, at best, in the things they were good at (Odihambo, 2010).

Arguably, emergency and humanitarian activities in the north were "outsourced" to non-state actors, who exploited the opportunity to stake human rights and democracy issues far over the central concerns about building institutions and structures that were deemed critical in enforcing good governance. They exploited the absence of state coordination and ran their agenda of recovery, based on what appealed to them. Danida, for instance, focused on the democratisation of the youth as an important engagement for recovery. They put significant resources through civil societies to teach youth about human rights and elections[326]. This effort had some disconnect with the realities. Not that the youth did not know their rights – to the contrary, they needed help to "lift off the burden of the big brothers who were taking away their space because these big brothers were more connected and were supported by the same Danida"[327].

There is certainly more evidence of Acholi's claim as a protectorate of the Uganda state, based on the features of limited statehood but also on the basis of service delivery (see: Heldgaard and Givan, 2011)[328]. The Poverty Eradication Action Plan, (PEAP) 2004/08, for instance, set as a goal under the Poverty Reduction Support Credit (PRSC), that the NRM were committed to two relevant actions that were specific to the north. One was finalising the Internally Displaced Person's (IDP) policy and secondly, implementing the post-conflict plan that respected the rights of the internally displaced.

While development partners helped the government finalise the IDP Policy within a reasonable time, there was insufficient legislation for effective implementation (e.g., Rugadiya *et al.,* 2006). The IDP policy was, according to government, diversionary. It rubs against an important area of credibility for internal sovereignty, in which the NRM has laid claim of since it took power, that Uganda was a peaceful country under its rule - implying that the insecurity and the resulting mass displacement in Acholi were insignificant even when the entire

[326] Discussion held with a political leader in Kitgum and Pader.

[327] An interesting viewpoint from some of the beneficiaries of the Danida project.

[328] Human Right and Democratisation Project (HRDP) of the DANIDA started around 2002 and it evolved into a five year Danida Human Rights and Good Governance Office.

community was displaced. Admittedly, in terms of economic growth figures, things had improved following the NRM assumption of authority in 1986. Uganda's economy grew by an average of six per cent per annum from 1989 to 2000[329]. This development alone had underplayed or even disregarded the devastation in Acholi, until a study by civil society examining the mortality rate in Acholi showed a different case (see: CSOPNU, 2006).[330] The study made the point that economic growth was not a sufficient indicator of good governance (see: Fukuyama, 2013: 349-351). However, both donors and the government collectively wanted to profile the economy to account for how aid works under authoritarian leadership. As such, the PRSC action point demanding a policy for developing a post-conflict plan to address the issues of displacement and poverty in Acholi and the other northern Uganda became insignificant[331].

The members of parliament from the North I spoke to confirm that the PRSC action point required legislation that, among other things, would support the implementation of the IDP Policy, as resources could be channelled to the programme. This would, however, acknowledge the right of the IDPs as a unique category of people who needed a special approach or programme. The National Policy on IDPs had a good stated objective. It aimed to integrate displacement issues in the mainstream government's PRSP planning and programming. However, it needed corresponding legislation to benefit from funding under the consolidated budget. The other manifestation of non-commitment by the state in supporting the human rights of the Acholi was in the land sector.

Evidently, historical projections and research carried out as part of the poverty reduction analytical work had informed the NRM and its development partners of the central role land play in the livelihoods of the Acholi (MoFEP, 2004). Noticeably, both groups knew the question of land as a likely centre of dispute and controversy on the return to normalcy (Rugadiya *et al*., 2006). In spite of this obvious outcome, the Land Sector Strategic Plan: 2001-2011, funded by donors, had no regard for the concerns of internal displacement. While there were opportunities within the framework that could adequately enable Acholi to

[329]Ministry of Finance and Economic Development of Uganda Reports, 1989 to 2000

[330] A study carried by the civil societies showed that 3.2 per cent of the GDP was lost annually to the conflict in the north.

[331]In one of my discussions with Robert Blake, who by then was the Country Manager of the World Bank, he asserted that the growth figures clearly supported the view that the North was not important in the recovery process of the country.

engage with the issues within the required time, this was not granted (Rugadiya *et al.*, 2006). For instance, a framework for decentralised land administration and dispute resolution was available within the sector framework that allowed the flexibility for specificity in consultation as well as in enabling the displaced population deal with this matter at the appropriate time (Rugadiya *et al.*, 2006).

When Mr Okello-Okello, the then Chairman of the Acholi Parliamentary Group, raised this matter on the floor of parliament, it was ignored (Okello Okello, 2006). The fact was that the principles of the National Land Policy allowed for the separation of the function of land ownership, land use planning and land development. Considering that poverty reduction was the central piece of land reform through good investment, the rights of IDPs to land was clearly known as having been a key factor that had significantly caused food insecurity in the region (Rugadiya, *et al.,* 2006). Ordinarily, the need to restore stability in land relations and the resumption of livelihood activities in Acholi could adequately have been dealt with under the framework.

The legislation on land, therefore, was short on how local institutions in the post-conflict Acholiland could be enabled to offer an option for amicable and reconciliatory ways of addressing land disputes and claims. This was particularly true since the society or community that constituted the traditional system was destroyed by the LRA war. Implicit in these are the continued failure of the NRM government and post independent governments to provide the devastated Acholi community with a more focused programme that embodied the principles of reparation and development of the region (see: de Greiff, 2009; Roht-Arriaza and Orlovsky, 2009). Except during the 1960s, the Uganda state has acted as a protectorate of the Acholi society while dealing with the Acholi. Evidence of this is seen in how the state is viewed in the region, especially by the increasing numbers of poor since 1970s.

A regime that could turn around the north from the perennial suffering it has undergone over the one hundred and ten years of existence can claim success in nation building. Evidently, the absence of effective state functions in Acholiland, save for the military, prompted the NRM in 2007 to design a programme that would “sell” the state to the people of Acholi (PRDP, 2007). Sadly, although not surprisingly, the money that was mobilised from external sources was diverted and/or misappropriated before it could be used (PAC Report, 2014). This caused the major donors to withdraw resources from

national budgets and to use civil society organisations as the conduits of their funds instead. As we will see below, I argue that the use of civil society organisations as a main conduit of development governance is misplaced as it lacks the hierarchal principles to make change work for the people.

Traditional Institutions and Change

Figure 5.2 and *5.3* show how the traditional governing systems remained vibrant even with the introduction of a formal system. However, it plummeted into insignificance during the twenty-four years of the NRM regime, yet the NRM resurrected *Ker Kwaro* Acholi as a contemporary and legally recognised custodian of the Acholi traditions in 1995[332]. There were evidently doubts about the credibility of the contemporary *ludito kaka*. However, seen from the benefits of indigenous knowledge, they withstood the test of challenging modern systems on practices that were akin to Acholi and placed them aside as a group of people with special customs.

From the respondents' perspective, the re-invention of *Ker Kwaro* Acholi was a political project. First, in its current form, it embraces the colonial version of the restructured *kaka* institutions that lacked the culture of *facultative mutualism* (Ojera, 2008:103)[333]. Secondly and most importantly, the content of what are seen as traditions and the mandate of *Ker Kwaro Acholi* are certainly not clear following all the past turmoil. Third, it is doubtful if Acholiland, under a modern statehood and its historical trajectory, see its continued evolution as a political community within Uganda state as successful. Consequently, the contemporary "tradition", much as it might hold some values, is not well explained to mostly younger generation of the Acholi (see: Cagney, 2011). As ceremonial figures, *rwodi* and *ludito kaka* are additional burdens to the community. The constitution clearly states that they can "not join or participate in partisan politics"

[332] Republic of Uganda, the Constitution of the Republic of Uganda, 1995, Article 246, Chapter 16 – Institutions of Traditional or Cultural Leaders, pg. 175

[333] While traditional *Ker Karo* as explained in Chapter 4 and 5 were organized around a core agnates and they were many, the colonial authority in the late 1950s created a centralized *Ker Kwaro* with *Lawii Rwodi* as the paramount chief. This model has been replicated in 2005 when NRM reinvented the institution. This time around, there is also an office of a prime minister and of ministers for specific activities.

or “have or exercise any administrative, legislative or executive powers of Government or local government.”[334].

Today, some of the so-called traditional leaders are in elected government positions or civil service (Burke, 2011). A good number of them are councillors, which are political positions. Acholi might feel compelled to institutionalise *kaka* ideology because it is, in reality, worthy of the situation they are in, considering that Uganda is not a welfare state. Having *rwodi* in the existing institutions raises serious conflict of interest. The despotic arrangement from the Baganda system that was used to create local governance in the 1900s had this kind of arrangement. Hence, it can be inferred that this would become ineffective or a patronage of the state.

The Local Government Structures

The *Figures 5.1 to 5.3* generally show that Local Government was perceived as less embedded and more irrelevant during colonial time. This view, however, changed in the 1960s. This is unsurprising because it was an imposition with different approach. It was created to implement decisions from the state and as such, it was a delegated mandate from the state. Chiefs as Native Administrators had no direct relationship with the people (Gertzel, 1974:15. Local Government took root around 1914 following the posting of *rwodi kalam* as the new administrators of the colonial Acholiland. However, LG by the 1950s had assumed prominence as a governing institution capable of making decisions? (Gertzel, 1974:15). In contrast to *kaka*, it was rated as detached and because of the application of hierarchal authority, some leaders of the Acholi community were disengaged from it as a principle before independence.

The Acholi “traditional” governance system, as we know, was polycephalous. This, as Girling (1960) observed, actually guaranteed balance of power between the mutually opposing governing actors that constituted the *kaka’s* governing realm. From testimonies of those who lived it, social power, political influence and status were widely distributed, which gave the social-political actors opportunities for both individual and collective efforts and

[334] Republic of Uganda, the Constitution of the Republic of Uganda, 1995, Article 246, Chapter 16 – Institutions of Traditional or Cultural Leaders. P.p. 175

satisfaction (Girling, 1960: 177). However, by 1962, these features had progressively disappeared through manipulation, reconfiguration and over competitiveness. The logic and rationale of these institutional reforms were clear and it was no secret that it was inappropriate for the conditions and purposes for which they should have been created (Brett, 1996). However, it was a movement that had external forces and benefits, as was shown in Chapter Two. Democracy, it was believed, could best be achieved by adopting the western model governance system as best practice regardless of the historical trajectory.

So, the formal system had large measures of imported, decentralised despotism that was intended to achieve a specific form of democracy in Acholiland (e.g., Leys, 1967: 9). Counties, *Gombolola* or Sub-Counties, Parishes and Villages were the new hierarchical governing structures that replaced *kaka*. Chiefs, *Jagi, Mukungi and Nyampara* were the corresponding administrators by the mid-1900s. These structures were accountable to the District, with a white man as the District Commissioner who was superior to any other chiefs or *rwodi* Acholi (Girling, 1960: 61-62). Power accumulated with the District Commissioner, who was a foreigner. Rulers also replaced leaders. Chiefs and the *jagi* also accumulated powers that *rwodi* Acholi never had. The statutory basis for the authority of chiefs was the Native Authority Ordinance of 1919 (Gertzel, 1974: 16). Subsequent amendments under the Ordinance concentrated powers into their hands. They were everything, from tax collectors, guardians of state laws to development agents (Gertzel, 1974:16). *Figure 5.3,*shows how Local Authorities were seen as insignificant in pursuance of participation of the Acholi as part of the household livelihood security during colonial days. The participation of the Acholi did not improve much even during the post-colonial regimes, implying that the new system shuns participation of the beneficiary.

Indeed, there seemed to be considerable irrelevance in the new governing architecture. The creation of boundaries that divided organically formed communities was of significant inconvenience. However, it did not, in my opinion, destroy nor delineate the territorial mandates of the clans. For instance, *kaka* Payiira was split and scattered into a number of administrative areas[335]. The District Commissioner used his discretion to forcefully move some lineages from their original and ancestral bases to new locations. This, I was told, was

[335] For a detailed split of the pre-colonial setting see Uma-Owiny, 2013

from the weakening Rwot Awich of Payiira, who was seen as a rebel (Uma-Owiny, 2013). However, the *ludito kaka,* as well as the *rwodi moo,* retained their traditional status as leaders of their people, although their roles were reshuffled within the context of the reconstructed customary laws. They were subordinate to civil servants, an imposed hierarchy that introduced authoritarian realities in the existing culture of governance in Acholi, to establish a new apex of governance, the Uganda project.

There was a façade in the social-political content and context of the new administrations. Unlike *kaka* that had purposive and social contents, which were inward looking with the intention to promote the growth of the individual agnatic lineages, the new structures that came during the 1900s, on the other hand, did the contrary (Beke, 2004; P'Ojok, 2007:4-9; Misier, 2012). This is a case of formal institutions undermining the traditional ones. The new governing system has continued to change, balancing its outward perspectives with inward preferences. For instance, the Constitution of Uganda allows Local Governments to enact by-Laws that are more appropriate for the local governments. This governing instrument, however, need not contradict the constitutions. Even then, here the focus, unlike with *kaka*, is the new community defined by legally defined boundary. Overall, the contemporary system demands that Acholi change with it. It sets new boundaries for community leadership, like the requisite practical skills in modern administration, and modern politics, that enforce top-down views rather than mentorship for advice. In addition, the system is ever changing, to conform to global demands, consistently demanding shifts in local skills and capacities, thereby downsizing what is traditional to the margins. For instance, the rainmaking skills of *rwodi moo, if* at all it was there, became redundant when the department of meteorology came into effect. Unfortunately, the new system did not make rain but they successfully use scientific knowledge as a source of information to substitute the claims of rainmaking – a role that was wrongly associated with the *rwodi moo*. Similarly, conflict mediation and resolution have become a shared responsibility of the traditional and the state, with institutions like the police and the courts taking a key interest in human rights and social justice. These forced traditions to the margin.

Local Government might have been created in the image of the colonialists and with the core purpose of transforming Acholiland through sustainable local revenue generation (p'Ojok, 2007:8). Different forms of local

taxes were therefore introduced by colonialists and further modified during post-colonial eras (Leys, 1967:45; p'Ojok, 2007:4-9). In order to raise these taxes, Acholiland had to invest in physical socio-economic infrastructure, sustainable management capacity and enhanced agriculture production and productivity, to break even (Priesthest, 1947). Thus, a new agenda, arguably outside its traditional domain, was brought in that could best be mediated by what was hierarchal rather than hierarchical (see: Brett, 1992). The idea of generating funds for local governance was a great idea in the circumstances and was partially achieved by the 1950s and 1960s, in spite of the attitude used in the implementation (see: P'Ojok, 2007)[336].

Achievements of the New Reform in Local Governance

These achievements, although applauded by Acholi, were the result of a top-down administration. It drills in the point that community governance is a mix of many modes. However, experiences show that the moral application of a hierarchical mode of governance in heterarchy cultures demands consultation[337]. Acholi was historically engaged in the Uganda project but mainly in two distinct respects. It participated in agriculture production, and urban employment (see: Pain, 1998:15). Acholi's experience with slave traders dented their interest in casual labours for others and Girling (1960) did admit that *rwodi* Acholi never kept slaves as their counterparts in Bunyoro did. The first post-independent periods - 1962 to 1972 – showed increased build up in human capacities with Acholi, at one time, having the highest number per capita of public servants per population number (see: Onyango Odongo, 2009; Gertzel, 1974). This build-up of skills started in Acholi around 1946 to 1953, which was the aftermath of the World War period. Droughts and famine had devastated Acholi in 1938 and 1939 and this led to a number of young men joining the national army.

[336] Respondents narrated how chiefs reacted when districts did not meet set targets of production. Such failures offered opportunities for ethnic tortures and nightmares. They also recalled how, before graduated taxes were abolished in 2001, the beginning of every year was a time for unsuccessful men to change residence from their villages, in fear of arrest for defaulting payment for their dues.

[337] The World Bank has experiences supporting ownership of hierarchical governance by communities by encouraging states to deepen their consultations with communities, as was the case with the Poverty Reduction Strategic Credits (PRSC).

In addition, Acholi Local Government, from the 1940s onwards, had invested significantly in education (see: Leys, 1967:50-53). These became the core of its human skills that had relevance in the new direction. When Acholi District Authority assumed responsibility for primary education in 1962, its target for school enrolment in primary school education was fifty three per cent, far above the national target (Leys, 1967:50:53). The District also allocated fifty per cent of its recurrent budget annually to education. As a result, by January 1965, there were four secondary schools instead of three in Acholi out of the sixty-six countrywide.

In the early 1960s, although Acholi was only 4.4 per cent of Uganda's population, it had 7.2 per cent of the African employment (see: Leys, 1967: 49). The peak was in 1961 with some seven thousand, two hundred and fifteen Acholi employed in public service. However, employment in the private sector was low, with four hundred and forty five African traders by 1963 (Mamdani, 1976: 208-209). These numbers, however, ignores the numerous cattle herders in the eastern plain of Acholiland and all other smallholder farmers, who by their nature are private holders. Especially from 1948 to 1971, the education of boys was an important avenue for urban employment (Pain, 1998:15). According to available statistics, Acholi ranked among the highly educated Ugandans in the early 1960s through to mid-1970s. By the eve of Uganda's independence in 1962, sixty administrators were required from the forty-eight tribes that made up Uganda (Onyango Odongo, 2009). Acholi was able to provide eight of the total numbers required, far beyond its quota of two persons per ethnic group[338].

In fact, arguments in support of marginalisation of the Acholi in particular have always been promoted by the generalisation that the North was designated as a source of labour reserve for the central region (Ginyera-Pinycwa, 2002; Gertzel, 1974:9). While the British had made such outrageous plans by delaying the introduction of cash crops in Acholi, the influx of the Banyarwanda from Rwanda and Burundi into Buganda in the 1930s and 1940s changed this

[338] Acholi provided the first African Permanent Secretary and Engineer-in-Chief, Ministry of Works in East Africa. On the eve of political independence, the 48 tribes in Uganda had produced 60 administrative officers. Of the 60 officers, 8 were Acholi who were deployed as follows: (1) Abednego Ongom, Kampala; (2) Eric Lakidi, Mbale; (3) Wilson Lutara, Moroto;(4) Ignatius Latigo, Soroti; (5) Justin Okot, Kitgum; 6) Anthony Ochaya, Moyo; (7) Alfred Okumu, Fort Portal; (8) Jekerani Odwonga, Kabale.

architecture (Branch, 2011: 49-50). Additionally, Acholi's culture and attitude towards engaging in farm labour for others was a significant deterrent (Girling, 1960:61-62). This mentality was entrenched following the slave trade regime in the late nineteenth century. An Acholi would rather toil on his unproductive field than work for somebody else[339]. In addition, Acholi's economy that was based on small-scale agriculture and its human "carrying capacity" that was acquired during the 1950s and thereafter, were equally a significant deterrent.

The years from 1950 to 1966 were the best for the Acholi of Uganda (Pain, 1998:3-17; p'Ojok, 2007: 5-12) and *Figures 5.1* through *to 5.3* supported this impression. Although its agriculture has been predominantly subsistence oriented, it was modelled to produce primary products for both the colonial authority and postcolonial central governments. Nothing much has changed for the better even today. If anything, subsistence agriculture, including the rearing of animals, crashed during the LRA insurgency (World Bank, 2004). Part of the on-going recovery in the food sector in my view, could include reviving agricultural productivity of the staples, to ensure food sovereignty at household levels.

Cotton lint and to a lesser extent, flue cured tobacco, were the two main export-oriented crops that were promoted in Acholiland from the 1940s through to the present time (Gertzel, 1974; Pain, 1998; PRDP, 2007). While cotton production was introduced in Uganda in 1903, it only arrived in the northern part of Uganda much later as a policy (e.g., p'Ojok, 2007; Branch, 2001: 50). However, cattle rearing and staples like millet (*eleusine indica*) and oil seeds like sesame and groundnuts were common from as far back as the pre-colonial time (Baker, 1874:Location 4966). Subsequently, from the late 1950s to 1960s, there was increased production in the agricultural sector (Gertzel, 1974:12). By the 1938, income from cotton production within Acholi alone totalled Uganda Shillings 1.5 million per annum and forty per cent of this income was transferred to the central government in the form of tax (Pain, 1998:16; p'Ojok, 2007). However, cotton production was disappointing - often influenced by policies and natural factors. For instance, the unfavourable international price of cotton lint in 1939 led to a fifty seven per cent decrease in the 1939 production in Acholiland. Farmers did not pick more than twenty-five per cent of the cotton grown in the

[339]Discussions with Mzee Charles Alai (RIP), who had previously served in the Obote1 as an Administrative Officer in Acholi District Administration in the 1960s.

previous year. Wars, government policies and international market prices worked in combination, and in subsequent years Acholi desisted from producing cotton entirely (see: Pain, 1998: 16-18).

Cotton production in Uganda, however, declined from its peak in the 1960s, when it contributed 15.2 per cent to Uganda foreign exchange earnings, to a mere 5.5 per cent in the 1993/94 period (see: Lee and Oput, 2003). During the NRM regime, cotton production in Acholi, like other commodities, actually came to a complete halt because of displacement. Although the Cotton Development Authority has sought to revive it, it has never again been a major source of income. The agricultural potential of the Acholi is far more dependent on diversification and better policy frameworks, which are lacking. However, Acholiland is capable of generating revenues through agriculture, building on its traditional culture and organisations. This is an example of how formal rules can complement informal or traditional rules. Progressively, the Acholi had to buy into the principle of commercial production because it made sense and is inevitable. The Acholi took to smallholder agriculture as a strategy since colonialism. Smallholding is more resilient to poor weather and climate change, providing self-employments to many of its actors.

Postcolonial regimes built on this enthusiasm, injecting some elements of local ownership and punitive incentives, and farming became a popular employment for the people. Acholi also exploited its fiduciary culture at the production level of its governance system, to embrace agriculture production and education. Although there are views that large landholding in Acholi was a necessary condition for private sector development, the logic is debatable (Mamdani, 1976: 208-209). First, land was never a constraint in Acholiland. The capacity to till large areas, to overcome the erratic climatic and the absence of socio-economic infrastructure and skills were the bigger constraints. Secondly, arguments for commercial bank credits are hypothetical and in the case of Uganda, make only political sense. No banks honoured collateral from rural areas. If they do, it is for a different motive that works against the borrowers own long range plans. The working experience is that one can borrow for farming but will have to provide security in the urban areas. Even when one had a title on the rural land for cultural reasons, no one would be willing to buy land that was located in a different society (Oloya, 1990: 40-45; Oloya and Fleming, 1991:1-26).

The Acholi's moral kinship system, however, invigorated politics, the education of boys and farming, especially in the 1950s and 1960s. Families and clans would contribute for the education of "their children", so that they could acquire knowledge, and strengthen their clan system. Henceforth, there was convergence in this moral attitude towards initiatives like scholarships and bursaries introduced by Local Government. These formal instruments supplemented kinship efforts, which was of significant benefit. The customary expectation that a good person would remain untainted by contact with foreigners, who included Local Government, meant that many men complied with the remittance of annual taxes.

Confusing and Conflicting Roles of the New Institutions

My definition of Local Authorities includes both the decentralised bureaucrats – the District Commissioners, the chiefs and *jagi* - and the Councillors. Their functions and relationships have continued to change during the post-colonial period. The first Local Councillors in Acholi were established under the 1949 African Local Government Ordinance (ALGO). Its main intention was to engage *rwodi* Acholi who, in spite of being marginalised, had a strong influence over locals. The Council initially offered a forum where *rwodi,* their nominees and the native chiefs as county and sub-county administrators exchanged views on all forms of district issues. In order to have the *rwodi* represented, the Provincial Commissioner used his discretion to have them included. This was in an attempt to engage people's representatives in local governance. However, elected councillors came into being after the 1955 Ordinance. It was also at this point when sub-county and parish level councillors were established, to deepen local governance to a level that traditionally would represent clans, that is, the *gangi* agnates (see: Gertzel, 1974: 65). The creation of Councillors was an administrative decision of the protectorate, providing space for native chiefs to air the growing discontent on governing matters. It also became a platform upon which national and local politicians emerged (Gertzel, 1974:65).

The 1962 and 1967 constitutions on the other hand, entrenched a form of uniformity in the governing structures, which was based on the early colonial architecture. This concentrated power in the hands of the civil service at the centre. This status quo meant that local governance remained predatory on the

society, a status set by the colonial authority. Local Government in Acholiland exploited this arrangement and capably developed infrastructure and capacity for exploitative governance during the earlier part of the post-colonial era. However, it became evident during the subsequent periods of post-colonial era that this was undermining participation of the people. Particularly during the NRM, the *neo-hegemonic* features of local governance fused LG structures with the political functions of the other local administration (Beke, 2004: 16). This has led to some confusion and conflict between political institutions and that of local administrations during the NRM regime. Noticeably, governing structures have included outreaches of government security particularly in the rural areas. Thus, the cadres recruited to "govern" the society by civil service were not necessarily qualified to provide the desired services under the Local Government Act. Rather, their allegiance is to the political patrons who recruited them and can pay them. This has further disengaged people from these formal institutions. Hence, CSOs and the incapacitated traditional systems were presumably the only accountable institutions that were trusted by the people based on a World Bank (2002) led study.

Local authorities, except during the later part of the NRM regime, were appointed by central government. Now, the people elect their councillors. They became a beacon of patronage as the centre used the opportunity to co-opt clients and party faithful (e.g., Bahiigwa, 2004). The Resistance Council (1986 to 1995) as well as the Local Council (thereafter) did not work as envisioned for the Acholi due to the insecurities (e.g., Steiner, 2006; Missier, 2012). In both the survey carried out by Missimer (2012) and in this study, evidence has shown that during the NRM governance, the key local actors in the region were formal– the army, the police, the camp commanders, LCs and NGOs. The dominant focus of these state actors has been security related issues. Missimer (2012) concludes that, while there is provision for the Local Council to address security and conflict issues, the displacement to and living in the camps, which officially began from 1998 to 2010 has rendered these possibilities useless.

She notes that in addition to the Local Government Act 1997, especially Part III, locally elected leaders could deal with security and conflict resolution at both the village and parish levels. Furthermore, in 2006, a Local Council Courts Act was enacted that grants locally elected leaders powers to deal with cases including minor crimes, contracts, and damage to properties (see: Meissier,

2012). In most instances, the three core political regimes after independence undertook further reforms of local governance, which merely consolidated the central authorities' oversight of the local communities. The NRM tried to empower locally elected leaders, thereby complementing the works of the "traditional" system. However, it did not work as envisaged.

For Acholiland, the past thirty years or so have shown improvement in their perception of Local Government with regards to governance (see *Figure 5.1*). The viewpoint has been that Local Councillors and part of the Local Authority as elected leaders worked with CSOs to ensure that the core services were provided especially in the camps. In other words, the Councillors introduced the participation elements of livelihood security back into the agenda with the help of CSOs. Much as most of these might not have been fully realised, they as a body, have shown great commitment to improving governance. The community voted the work of the Local Councillors as exemplary in the search for a return to normalcy (Missier, 2012). As it turned out, the creation of a new political system to empower local governance was actually aimed at the opposite. It was, on the contrary, designed to entrench the NRM as a political system rather than local governance. The institutional architect had good intentions because it first and foremost, demanded that people elect their own leaders. Had it not been overly politicised, and had the Acholi had the opportunity to implement it, it could have possibly complemented, reinforced and supported the "traditional" *kaka* system (Missier, 2012).

Changes in perspectives

The NRM's National Agriculture Advisory Services Programme (NAADS) brought reform to the agriculture extension services in 2002. It made decisions about the funding of agricultural services, and farmers were to select their own representatives. This allowed them to procure the agricultural services and other inputs on a co-funding type of mechanism with Local and Central Governments (World Bank, 2008). Although it did not work because people were displaced and unable to benefit from it, NAADS had some positive direction. However, like all nationally driven programmes, their failure was due to inappropriate inflexibility in a politically fragile situation.

In some of the villages where I carried out my research, the current composition of the inhabitants has become more diverse than the previous

domination of one clan. Part of the reason has been the new patterns of settlement following the 1986 to 2006 displacement/settlements. In addition, the boundaries of villages have been adjusted deliberately to include more groups. For instance, Pakiri village had two major agnates, the Pakiri and Palyec of almost equal proportion by 1960. This mix, by 1986, was still the same save for two other putative kin, one from Paomo clan and the other from Bwobo. In 2010, after some sixty five per cent of the inhabitants had returned from IDP camps, and with the expansion of the border, there are now more clans including Pamuca and Payiira.

Acting globally but missing local context

The ideological orientation under the NRM, articulated in Uganda Vision 2040, is driven by the commercialisation of agriculture. Just as in the colonial time, commerce and trade are seen as the drivers of modernisation. However, there is no clarity in how the Local Government, which is closer to the community, will play a role in commerce and trade. The NRM's perception of shared efforts on development has been a contested area (see: Bahiigwa, 2004). A recent study that evaluated decentralisation in Uganda concluded that it is a political gimmick rather than an empowerment tool as the documents try to speculate (see: Ojambo, 2010; Missier, 2012).

Subsequent frameworks for community governance show how local governance continues to be challenging. For instance, the Uganda 2040 vision under the NRM aims to transform agriculture. In practice, agriculture is private sector-driven and requires huge public investments. In Acholi, the majority of the private investors are households and a survey by African Network for the Prevention and Protection Against Child Abuse and Neglect, a CSO, in 2011 tells a story that investing in these households is the best option, if poverty eradication is the way to go (ANPPACAN, 2011).

The framework, although not yet specified in detail, advances the transformation of agriculture based on the private sector. However, current events point to a deliberate targeting of corporations and large foreign investors at the expense of promoting small and medium-scale agricultural industries or encouraging local investments, which other publications have shown, would contribute more in terms of local employment (UIA, 2013). Top-down approaches tend to promote global fits, contrary to what *kaka* sought to do even

when both could potentially complement each other (World Bank, 2006). The reasons seem to be that insecure governing actors, who are mainly global, strive to anchor their political survival via the global marketplace. Secondly, the face of private investors in Africa, especially in very corrupt countries, has since changed. In this project I refer to this as the African "publivate" sector.

Is This a Case of the "Publivate" Sector in Acholi?

Some forty thousand hectares of customary land in Amuru District has been allocated to a multinational firm, the Madhvani Group of Companies, to establish a turnkey, Amuru Sugar Works Project. The project will produce sugar cane and also process sugar and other industrial products, which are within the realm of private sector investment. However, unlike in the past, where feasibility studies would first justify such massive investment from a number of available options, especially in light of other possibilities including oil crops and ranching, the deal over Amuru Sugar Works (ASW) was political, and ignored the interests of Local Governments in the decision making. Even with opposition from the locals, the project will proceed (Refugee Law, 2013).

This is a case of acting globally without the minimum consideration of the local politics, context and the implications of such a huge investment. While this should be a sound investment, it misses the strategic focus that resonates with post-conflict investments (Kaplan, 2008: 18). Given that this is actually a sector investment, triggered under the vision 2040 and is private sector owned, a different message is nevertheless being circulated by the agents of the state house, which misses the logic – that this project is not part of the resettlement programmes of the Acholi people. The point is that ASW cannot be part of the priority recovery programme based on the actions and the ideas that have been put in public thus far. It does not create the kind of jobs one desires for a post-conflict recovery because it, to the contrary, disempowers the locals by taking away their land and seek to employ them instead as squatters.

Studies have shown elsewhere that reliance on out-growers who are small and medium scale producers has a wider impact on income distribution, but also builds desirable capacities for a post-conflict situation (World Bank, 2008). Even when this was to be less profitable move, part of the public-private sector partnership agreement would be to allow it to happen as a privilege for

reconstructing a diversified people. Typically, the ASW goes for what the government terms a private-public sector partnership that the new aid model sees as a preferred option for poverty reduction (see: Wiley, 2014). The design of the intervention provides few options for out-growers' participation, which is the preferred option in the circumstances. Rather, the industry hopes to benefit from the "abundance" of unskilled labourers that are going home from "protected camps".

Whether this will work, based on previous experience, depends on a number of factors (Girling, 1960:178-185). In terms of policy, the government will have achieved two things once the project is implemented: first, it will have succeeded in delineating Acholi as a source of cheap labour, something that the colonial authority failed to do over the seventy years of their rule; secondly, it will use its trait of co-option to marginalise constructive opposition, thereby rekindling the past siege in internal power struggles that Acholi witnessed during the colonial time among the *rwodi kalam* and *rwodi* Acholi[340].

Engaging Change Through Interactions

From the above, it is clear that *kaka* has transformed over the years into what scholars have often equated with monarchical governance systems (Raija and Phillips, 2002). Particularly during the last thirty years, *kaka* has adopted ruler-subject relations with the Acholi society being a subject of the modern political principals – the state and its analogues. However, experience has shown that no one system of governance can be said to answer development needs particularly in fragile situation (Kaplan, 2008: 49). Certainly, the top-down approach was endorsed by a number of respondents, acknowledging that it introduces innovations that support the integration of Acholiland in the global system. Physical infrastructure, like roads were effective in linking Acholiland to the national grid in the 1960s. They were achieved through top-down decisions of the State and the District Commissioner. However, I contend that excessive use of social powers, as a way to coerce the Acholi into taking particular decisions is unnecessary for two reasons.

[340] This analysis builds on discussions with various Members of Parliament from across Acholi as well as those in the Natural Resource Parliamentary Committee. It also draws on my interaction with some elites who have inside information on the project development.

One, improved and strategic communication on innovative ideas can be passed through opinion leaders, and trusted systems and this can always achieve the desired centralised intention. A case to prove this is the events during the follow-up to the overthrow of Idi Amin in 1979. Acholiland is known to have voted overwhelmingly for the return of Obote in the 1980 general election in spite of a large presence of non-UPC members in the sub-region[341]. Some respondents attributed this to the strategic communication led by leaders like Tito Okello who, together with others who lived in exile in Tanzania, advised that it was the best political choice for the sub-region. Those who know the stance of Acholi's partisans would agree that without this, the region would have been split between the two major parties, just like it was the case in the 1962 general election[342].

Two, allowing people to see, touch and participate in their own development can change them. The Acholi soldiers who fought in the World Wars came back from the frontline as changed individuals. They met many people, saw and felt what happened in India, Ethiopia and many other countries they travelled to. On return, they became the agents of change, promoted education, and led political struggles that show political parties grew in strength and reach in Acholiland. The use of force contrary to mental engagement has been a trademark in the Uganda governing system. It points to the structural dimensions of the parties involved. Perhaps, a change of approach might work because coercive methods have thus far failed to make developmental impact, seen through a historical lens.

Nonetheless, both the relational and constitutive contents – which defined relationships outside the cognitive groups and the associated normative contents like the rules and regulations - were reconfigured as a result of 'Project Uganda'. For instance, by 1962, Acholiland and its neighbours had developed stronger bridges and gained better understanding of each other through constructive engagements. This can be said particularly with the Langi, who were Acholi's traditional foes (Wild, 1947). The late Daudi Oceng, who came from *kaka* Koch, joined a tribal party of the Baganda, the *Kabaka Yekka* in the 1960s. This opened a new alliance with the Baganda, which as a southern ethnic

[341] Confidential interviews held with individuals during the years of field work in Acholiland

[342] Ditto

group, was viewed originally as foes. This relational content, as we will see later, took an about turn during the NRM with devastating consequences.

Concluding Remarks

This Chapter uses insights from different disciplines to explain how politics in Acholiland dovetailed with violence. The view that economic growth are the main indicators of successful community governance – to eviscerate Acholi of its perennial poverty lines – are incorrect. This is because the modern economy is built on two characters – the humanity of the Acholi as a political community and secondly, the altitude of the private sector, which in modernity, is external to its logic. This second aspect, however, has conflicted with *kaka's* livelihood security measures and yet it is the most prominent discourses of modernity. This is because *kaka* was a response to the reality of Acholiland and as such, a source of collective power that shared the obligations of equitable development. The new formal ones – the state and its analogues - on the other hand, have consistently manifested distributive power and therefore, are non-participatory and extractive by design.

The study concludes that fundamental change in community governance happened during the colonial administration, from 1898 to 1962. By centralising power in the hand of the state, colonialism reshuffled powers of the ruling elite in the traditional settings by creating a colonial society, and allocating, reconfiguring the political authority of community governance to colonial agents – the chiefs, who by design were outsiders and the Local Governments. This realignment of political power to outsiders and non-leaders weakened the traditional practice of *kaka* - something that post-colonial governments have built on, as it set to control Acholiland and the people. Through these actions, the reforms set the governing infrastructure for pluralism, with the state legal system – the customary laws – as the modern. The others: the traditional *kaka* systems, the newly introduced religious systems and the "informal" ones – that developed to fill gaps created by the others - flourished alongside the legal system. All these systems, from practice, differ in how they have framed and abstracted the Acholi society, their rights and obligations.

Hence, the introduction of multiplicity of legal contradictions and constructions of governing space has led to multiple arenas for misused political authorities and legitimacies. It has also reconstructed new versions of local rights and obligations. For instance, the Acholi rights of belonging are conditioned on the state of laws promulgated by Uganda and not by tradition. This, it seems, has also resulted in the construction of multiple social relationships, institutions and structures characterised by variegated degrees of abstraction and moral orientations (Brenda-Beckmann *et al.,* 2010). This has led to a crisis of legitimacy and severe assault of the traditional governance system. Increasingly, the society has confronted the reality of governance under two distinct governing principles. On one hand, the desire for humanity as an approach, which was a well-developed practice built in the fading traditional infrastructure; and, on the other hand, a right-based approach that is market oriented and the corner stone of the modern system. The balancing of these views, it seems, have remained the major contestation in governance in the modern time, leading to a formation of an informal brand that have continued to promote survival in difficult times. By the end of the colonial rule in 1962, this crisis of legitimacy resulted in a trifurcation of authorities that have sought in vain, to balance the impact of pluralistic practices.

Chapter Six – The Politics Of Community Governance

Introductory Remarks

The politics of community governance, focuses on *kaka's* political worth, that is, its "business" and social results, and how it has changed, based on perspectives of the respondents. By social results I mean the moral values that enhance collectivity, cohesion and equity in a society that was built on both primordialism and constructivism. As such, this Chapter explores issues that have direct implications for community leadership, including how community leaders accumulated power, both for community growth and to enhance the governance of political community. It also deals with the issues of incentives, tensions and conflicts that often energised political interactions. These issues constitute the key elements of governing image, governing actions and governing instruments that are being investigated in the study. They cut across the three parameters for governance as shown in *Table 6.1* below.

Table 6.1: Selected Indicators for Community Governance

Parameters	*Perimeters*	*Governing Outcomes Indicators*
Governing Image	Leaders	The quality of the different types of leaders
		The capabilities of leaders
		The basis of their legitimacies
Governing Instrument	Policies	Relevance with regards to governing actions
		Specificity regarding governing image and actions
Governing Action	Human protection	Effectiveness of institutions and laws in dealing with human security
	Food security	Effectiveness of governing actors and policies in ensuring food security
	Social justice	Responsiveness and effectiveness of formal and informal system

Sources: Field Data, 2013

In contextualising the politics of community governance, the significance of the governing principles and the politics of entrustments and obligations that accentuated *kaka's* governing realm are examined. This is

because the *communal system* as conceptualised in Chapter Two, demonstrates in part what Shipton (2007) refers to as "*fiduciary culture",* that is, a culture built on *gen* (read trust) and *ribbe* (read togetherness). Shipton (2007) argues that trust and entrustment differ, and entrustment, which "is action with thoughts implied", does not require trust (Shipton, 2007:33). The Acholi communal systems prior to colonialism as discussed earlier, were kinship-based. It thus, embodied norms and sentiments of the eponymous belongings, with shared responsibilities and rights of their territory (Shipton, 2007:33). This form of setting of *wadi* was both geographically and structurally defined and still remains visible even to-date. The individual internal interactions were governed under familial and kinship authorities that defined the forms of *fiduciary culture*. Elders were status and leaders with social power and jural duties, which they used to enforce the use of communal norms in line with traditions as a right. In return, other people were bound by the authority of elders and were expected to comply with their guidance. Societal obligations to others were demanded as a moral imperative. Such regulations sometimes compromised the effectiveness of kinship[343].

In forming the consociations however, the *gangi* agnates with varying ethnic backgrounds seemingly agreed to a form of "*facultative mutualism"* as a governing culture of interaction. This is evident by the fact that each *gang* agnate had power to relocate to another consociation as it found it appropriate. This development renegotiated the meaning of *gen* and *ribbe* at the micro-levels of governance. Kinship, it seems, became an organised communal system for the negotiation of rights and entitlement in community governance. This demanded sets of strong leaders. From interviews, we confirmed that elders within given kinship ties used their fiduciary responsibilities to enforce kinship compliance to the new *kaka* rules of

[343] This view was collected from respondents who are the elites of the 1960s and 1970s. Their analyses of traditional manners of enforcing norms in the society gave me the feeling that kinship values were highly regarded because of the reciprocity it attracted.

collectivity and in mobilising large-scale support[344]. This, however, changed when centralised authorities, new governance architectures and their values like Christianity were imposed in the early 1900s to inform the content of community governance. It is such dynamism in the politics of making and remarking of trust and mistrusts that leadership were negotiated and the incentives that are associated with it are discussed in this Chapter.

Contextualising Community Leaders

Using embeddedness as an indicator of the quality of authority and legitimacy of these leaders, *Figure 6.1* below shows actual and perceived views of the respondents during interviews on the performance of the different categories of *lutela* from 1898 to 2010. This information certainly builds on earlier findings by the World Bank (2001)[345] and Oloya et al. (1998)[346]. *Tela,* which can be leadership, has been categorised into five main areas of legitimacy, representing decision-making levels and the nature of authorities they wield. These are traditional leaders, opinion leaders, local authority leaders, political leaders and others as further discussed below. Briefly, traditional leaders in the case of Acholi would include *lutela* who command traditional authority and are both male and female. They are the custodians of the Acholi culture and are produced by the system. They included: *rwodi moo, rwodi, ludito kaka,* and *mego.* Opinion leaders, on the other hand, were respected *lutela* who are not office holders and are apolitical. They were often kinsmen and women, and friends whose authorities come from their exposure, achievements and characters. They are recognised by the community system as worthy of their attention. Local authority leaders are office holders, elected and/or

[344] *Ludito* in my own experience applied their jury duties and the power to curse in order to enforce compliance of their members. The fear of curses as well as the vulnerabilities of the individual households often worked in favour of the elders. This experience was shared with other peers and elders in three of the focus group discussions we had in 2004 in Gulu town, Keyo trading center and in Bwayale in Masindi.

[345] The World Bank and Office of the Prime Minister undertook a Need Assessment of the communities in northern Uganda. A team visited Gulu district and undertook four community groups who were still settled at home by 2001. The assessment involved use of participatory rural appraisal tools.

[346] Oloya et al. (1998) undertook a PRA baseline in the entire Acholi for Oxfam-UK. A key product of the study was developing a historical profile of community leaders.

appointed by the people or by the systems, respectively. They draw their legitimacy from their electorate or the appointing authorities. Similarly, politicians are categorised as both formal and informal. The elected leaders are politicians who hold offices. However, Acholi *macon* had political figures as *lutela* who were generally seen as *lugwok paco*. Like the other politicians, they draw their legitimacies from the people they represent.

The underlying assumption is that supply-led or induced changes are dependent on the political power base (e.g., Ostrom, 2005:61). Hence, where leaders are embedded within the society and coordinate the different governing efforts of the different actors, the change outcomes are broadly beneficial to the society. This is because the outcomes of change result from genuine engagements of the beneficiaries and are based on shared practices that recognise the different carrying capacities and capabilities of the actors. This is good practice in governance. It is moral because it builds on diversities of issues, actors and interests. In other words, collective power is functional, facilitative and often leads to better organisation and shared responsibilities that enable achievement of the different but important activities of the different actors (Mann, 1986: 6-7). However, distributive power as power over others is predatory and restrictive. It disallows the ruled to exercise their rights. Induced change, caused by distributive power, has undermined the potential of the Acholi because it did not involve them in creating change" (Dwyer, 1972:10-11; Dolan, 2011:224-226). Even when Acholi leaders were not necessarily conquered during colonialism in light of the circumstances, they were compelled to accept new changes. In effect, the change outcomes were asymmetrical, in favour of those with social power.

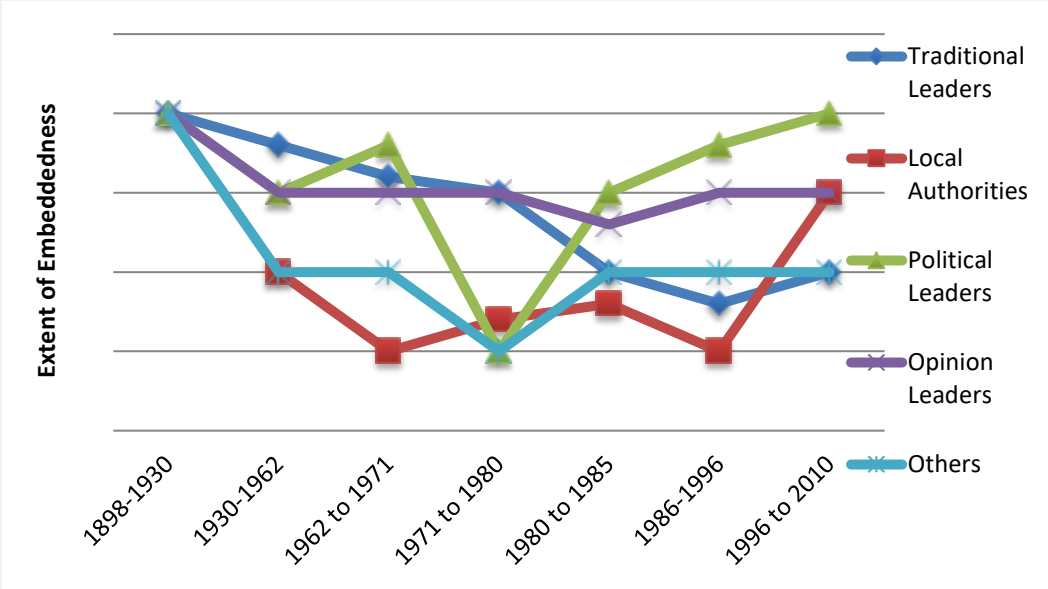
Viewpoints of respondents on *lutela*

Figure 6.1 below, like those in the previous chapter, represents on the vertical axis, the rating of leaders or their embeddedness by the respondents – which were established by ranking the impact of the various types of leaders to community governance in a given period. This pair-wise ranking of perceived or actual impact of embeddedness was carried in focus group discussions but also validated as in the previous cases, with other actors. On the horizontal axis, it provides the range of time used for comparing the impact of embeddedness of the leaders. The starting point for *Figure 6.1* below is that prior to the 1930s, ***kaka's*** governing realm was all-inclusive, fused within the community and was not

contradictory to it. As such, there was no clear distinction between what was public, civil society or private as is the case in contemporary systems (Makau wa Makau, 1997:23 cited from Rubongoya, 2007:12). As such, *lutela's* actions were fused within the *kaka* system, interacting within their different levels of governance on the basis of their perceived gender responsibilities, carrying capacities and capabilities. In other words, actions were more efficiently carried out when they were allocated based on interests, and competitive and comparative advantages, since hierarchy and markets were unaffordable

Four important messages are conveyed in *Figure 6.1*, which need discussions. One message underpins the importance of a multiplicity of efforts from multilateral leaders in governing efforts under fragile situations. The reported mix of governing actions during conflict demonstrates the importance of competitive and comparative advantages of the varied actors. The other important messages relate to; (i) the significance of political legitimacies in governing change as demonstrated by the role of the politicians, especially members of parliaments; (ii) the significance of the informal sector and their influencing roles in governing change because of their apolitical viewpoints, and (iii) the persistent and continued mistrust between the state and the Acholi community particularly in the 1970s and during the NRM regime.

Figure 6.1: Embeddedness of Acholi Leaders, 1898 to 2010



Source: Field Data Analysis, 2014.

Figure 6.1 above shows that a mix of interactions from *lutela* who have different interests, backgrounds and skills, are indeed conflicting and undermining. However, they are also supporting and when well managed, they can contribute to better results. The *ludito kaka,* according to reports, manifested strong political legitimacy during the colonial era. However, their legitimacy anchored on the strong knowledge base of the informal leaders, the opinion leaders, and to some extent, the formal leaders, and the politicians. These three leaders worked collectively and influenced the impact of the proposed land governance reform in 1950s. At the end, land in Acholi was not, as was the case in Buganda and Bunyoro, delineated to reflect the western view of property rights. In the 1960s, on the other hand, the political leaders became prominent *lutela*, according to respondents. This was in the period of self-governance as Acholiland began to claim its stake in the new Uganda. The tripartite alliance with the local leaders found in the informal and traditional sectors helped them achieve the goal of the Acholi people and claim their rights within the new Uganda. During the NRM, however, the formal system – the politicians and the LG – peaked, using their political legitimacies, political power and the authority of the state, to evoke change in Acholiland. The formal sector leaders, however, depended on the opinion leaders, reinvented traditional ones in 2005, to front the agenda of the state[347].

Another noticeable thing is the overwhelming agreement by the respondents that elected leaders have remained consistently connected with the priority concerns of their community. Elected leaders are formal and have both the political legitimacy and authority to act and be felt. Hence, they have consistently positioned their interests and goals within the context of Acholiland[348]. However, their disengagement during Idi Amin's era was in my view tactical, as most of them were targeted by the system and many had to flee the country for safety or were killed (Branch, 2011:55-58). Nevertheless, these *lugwok paco* have maintained a strong connection with the community even in their hardest times, and especially

[347] This view builds on Dolan's viewpoint that the re-emergence of traditional leaders during the NRM regime was politically motivated. In several interviews I carried out including recently under a Danida funded TrustLand project of Aarhus University, Denmark, *Ter Ker Kwaro* Acholi is being used to advance the interest of the central government rather than those of their subjects.

[348] Focus group discussions during the study

during the NRM regime, when most western donors believed and supported Museveni's agenda of transforming Uganda, even at the detriment of Acholiland[349].

With the introduction of the Uganda project in the 1900s, members of parliament in particular have been kinematic, vocal, articulate and especially forceful in elevating local issues within national priorities[350]. The key cases that came out were land issues. During the Dreschfield Commission on land in 1954, the Acholi politicians stood together with their counterparts in Lango to reject the proposal that land should be centrally controlled (Gertzel, 1974:66). This same issue – where the state would like to take control of land - has resurfaced during the NRM era. However, the Acholi Members of Parliament have, as in the past, continued to align with the community, arguing that matters of land administration should remain with the community (New Vision, 2006)[351]. Simply: land in the concept and understanding of the Acholi is a belonging that should be decided by the owners, who are the Acholi.[352]

The third message is the sudden peaking in power by the formal system in the NRM era, where local authorities became significantly powerful in mediating change. My reading of this conceptualisation of events by the respondents is more about how Local Councillors as part of the Local Authority, introduced measures that aligned critical issues during the NRM regime with the people. The Local Authorities in this study comprise the bureaucrats or the civil servants and the Local Councillors. The former are state agents who, following the Local Government reform of 1997, are now appointed by the District Public Commission instead of the Public Service Commission (Missier, 2012). Councillors, on the other hand, are elected members of the District Council and are politicians, drawing their legitimate power from the people. The formal administrative systems, created by the Constitution of Uganda and enacted by Parliament, are partly made up of local

[349] Focus group discussions

[350] On the issues of the LRA incursion and the approaches used by government, see for instance: Branch, 2011:52-53 and Finnstrom, 2008:122-130. On the issue of land wrangles or grabs and the options of the Acholi, there are many sources articles by scholars and journalists including: Lenhart, 2014 of Gulu University, Uganda and Walubiri, 2015 of the Vision Group, Kampala.

[351] See Hon. Okello-Okello submission to parliament on land in Acholi, arguing that the Acholi Parliamentary Group recommendations were for government to defer the land issue until after the camps were dismantled.

[352] See Oloya and Whyte (2015) on-coming work regarding this perspective.

authorities – seven of these currently represent Acholiland. As such, they draw their authority from the state and are delegated levels of state authority. It was interesting to see how respondents perceived the connectedness of Local Government to the community, arguing that the normative engagement seen in the late 1980s was mainly attributed to the political wing of the Local Authorities. Interestingly, in the late 1950s and 1960s, we noted earlier on that Councillors were equally reported as having been vociferous, assertive and pro-traditionalist (Gertzel, 1974:51-52). In essence, it seems to me that semblance of good governance, one that takes into context, the people's viewpoints, are ethnicised and locally driven rather than nationally promoted.

Lastly, both the traditional and especially the opinion leaders maintained strong connections with the community throughout these periods. As discussed in the last chapter, traditional leaders are custodians of the Acholi culture that has been changing over time. The opinion leaders, on the other hand, are informal and have broad-based knowledge and links to the entire systems, since they are drawn from all of them. Firstly, as a group of *lutela,* they were apolitical, respected and commanded what Webster (1948) described as traditional and charismatic sources of legitimacies. They had control of information and knowledge that was both contemporary and historic and which, as discussed earlier, Kurtz (2004) refers to as *hegemonic acculturation*. Conversely, being apolitical and the archives of local knowledge, they became an important source of inspiration upon which the community anchored. They provided trustworthy information and knowledge to both the community and the agencies that worked with community. Over time, however, the power / effectiveness of traditional leaders declined especially during the NRM period, a point that will be discussed.

History of Community Leaders

At the turn of the twentieth century, many of Acholi's heterarchical governance structures were under siege, and in competition with neighbouring *kaka* (Atkinson, 2010:256). This followed the alliance of some of these *kaka* with Arab and Ethiopian traders, who had superior and better-equipped fighters, compared to the traditional institutions. The slave traders had the support of the Egyptian administration that was allies of the British (Behrend, 1999:14-19). Invariably, "there

was never, it seems, any real political unity within Acholiland" (Girling, 1960:9). This was not surprising. The partitioning of current Acholi among the different private slave traders enabled *kaka* polities within a certain zone to redefine their sovereignty and with the help of the Arabs, treated each other as neighbouring ethnic groups, as was the case with the Langi and the Madi tribes (Girling, 1960:85). In addition, the Acholi population was sparse and land was in abundance. However, the absence of population pressure meant that change would be unlikely to come through local technological innovations, as has been the case in other parts of the world (see: Kurtz, 2004).

I sense that there have increasingly been concerns and questions underlying the concept of community leaders in Acholi. *Latela (*plural is *lutela)* is another word for a leader. *Tela,* which is leadership, was both age and gender-neutral. There were young as well as female *lutela*. *Tela* was practical, solving problems and knowledge-based, contributing to community issues. As a concept, it was social-political and included *ludito kaka*, *rwodi moo*, members of parliament and councillors. It was also context oriented (civil servants, NGOs), or expert oriented (e.g., *oteka, ajwagi,* doctors, teachers). *Tela* was therefore both institutionally based and individually led.

But *tela* is also an Acholi word for confrontational relations. *Tele* indicates some form of disagreement and discontent. Additionally, *tela* as an act is to coerce or to "drag something – in this case, drag political units along", both as a form of fiduciary responsibility, where leadership is seen as weak, but also as a collective good. So, *lutela* applied a mix of governing modes to resolve these governing challenges and contradictions, some demanding coercion. Coercion, evident at the kinship level where lineages with similar eponymous ancestors had communal interests and fiduciary relationships, was used to enforce what became as normative patrilineal values[353]. Legitimacy, in this view, implies that such political actions actually held the right to create political obligations to the other political structures, the *dog odi* and the hamlets (see: Raz, 1986). Particularly in what I have considered as the communal setting, political authority vested in *ludito kaka,* until

[353] *Rwot kweri* as "chief of hoes" were colonial initatives to improve cash crops and food production. They were selected by the agnates to ensure that land areas and food production were in tandem with customary as well as civil orders.

recently, legitimised their actions as morally justified even when they were illegitimate in the western sense of democracy[354].

Table 6.2: Categories of Traditional and Contemporary Leaders

Types of Leaders	**Traditional**	**Contemporary**
Status Leaders	*Rwodi moo, Ludito kaka, Megi*	*Rwodi, Ludito kaka, Megi*
Government Employees		Public servants - chiefs, teachers, soldiers, police and other employed government officials
Civil Societies/Private	*"Lugwok paco",* spiritual leaders, healers, other *rwodi, oteka lweny,* traditional social groups like *bulu*	Religious leaders, traders, NGOs, professional organisations,
Politicians	*Lugwok paco*,	Local councillors and members of parliament
Opinion Leaders	*Paneyo* or specifically mother's brothers (*neru*) and father's sisters (*wayo*), grand parents	Donors, Acholi's retired and respected professionals, in-laws from outside the tribe

Source: Field Data, 2013

So, *lutela* in the study are formal and informal, categorised into five specific but interlinked sets in *Table 6.2* above. These are: traditional or status leaders and the opinion leaders or *lugwok paco*, as two kind of informal leaders. There are also the civil servants, government employees and the political leaders, who are formal leaders. *Tela,* therefore, was multi-layered and multilateral, engaging a mix of governing skills and specialisations, from households as private individuals, to civil servants as a form of the state (Branch, 2011:47). Leadership was either acquired through a competitive process based on capabilities (e.g., skills and characteristics), or it was bestowed upon one by virtue of one's age, sex or heritage. In the former case, leaders were valued, but were unstable over time as new skills through formal education substituted traditional praxis. In the latter case, leadership was a social status – which were constructed based on moral amplitudes, personality and

[354] See Simmons, 2001 for similar argument

tradition. Onyango-Odongo (2009) refers to the latter groups as *lugwok paco*, which literally means "the custodians of the people".

The concept of *rwodi* and *ludito kaka* in Acholi

Both the traditional and opinion leaders were what Kurtz (2004) termed moral leaders. By traditional leaders, I refer to *ludito kaka* as a category, which included all *wegi odi, wegi paco, wegi gang* and *rwodi moo*. They were transcendent and apolitical, mentored as leaders of lineages and, therefore, have binding attachments to their inner society. They drew their legitimacy from what Weber (1964) refers to as descriptive legitimacy, that is, a form of societal beliefs and faith about their political authority and sometimes-political obligations (Weber, 1964 cited in Fabienne, 2010:1). Both *lutela* have what Mann (1986) referred to as collective power - which is functional and facilitative and enables society to indulge in shared responsibilities (Mann, 1986:6-7).

Branch (2011: 62-71, 174) uses lineage–based authorities to refer to only a section of what I have defined as traditional leaders[355]. Traditional leaders were specialised, multi-role – including arbitration and resolution of conflicts – and well diverse, largely experts on lineage issues rather than that of the entire Acholi issues. *Lutela* were not necessarily *ludito* although they were lineage-based authorities. In Acholi, one became *ladit* after one was married, had children and was viewed by the system as mature and capable of taking care of others, including the children of others (see: Girling, 1960: 28-36). *Dito* was about maturity and was a quality that could easily define the *autopoiesis* of a given lineage unit. *Ludito,* therefore, were a collection of traditional leaders, having accumulated knowledge of their lineages and that of Acholi customs through mentorship and practices – that is, performing rituals and other governing duties as were deemed appropriate for the different occasions.

Women, especially older ones, I am told, had a special place in community governance. *Daker,* as noted earlier, was the official wife of *Rwot Moo* that headed the *luker* agnates. She managed her co-wives in the *kal* lineage and was instrumental in indorsing and endorsing *lweny kaka*. *Mego*, which is a respected

[355] Adam Branch (2011) discussed lineage-based authorities in a more restrictive manner, isolating elders or "ludito" from the group. In his discussions where is made up to 67 references to lineage-based authorities, he consistently made claim of these groups as homogenious and singular in function, which is not correct and true as further discussed in the chapter.

mother – married or not - was a social status for recognised and married women in the clan. *Mego*, like *ludito*, were variegated and a mirror analogue of the male titles. These categories of women were respected leaders because they would have gained the trust of the agnates and believed to have been incorporated as insiders.

"*Tela*" in the history of Acholi governance

Max Weber states that "traditional authority" derives legitimacy from the ancient tradition of family inheritance (Weber, 1958, 1964: Vol. 1, 167-170). He argues that the ruler had no administrative staff or any machinery to enforce his will by force alone – *"Gehorchenwollen der Genossen*". The ruler, in other words, depended on the willingness of the group members to respect his authority. According to him, the members stood in a personal relationship to him. They obeyed him based on their belief that this was their duty and on the feeling of filial piety for the person who was master.

This, however, as will be explained later, was not what we understood of the *rwodi* or *ludito* Acholi of Uganda. At most, the *rwodi* were perceived or presented as a special mix of charismatic, and traditional with, in some cases, some elements of sacred leaders, linking the past with the present and the future (van Dijik *et al.,* 1999:4). First, *rwot*-ship, as a concept, was a "cluster of general attributes of, and attitudes towards, political leadership" (see: Atkinson, 2010:82). As such, it could be applied to whosoever possessed such attributes. One such attribute was an inherent capacity in making rain, which considering the effects of drought that devastated Acholiland was an important virtue (e.g., Bere, 1947: 50). Another important attribute was what Kurtz (2004) referred to as the *hegemonic acculturation*, that is, the ability to provide intellectual and moral leadership. The leadership of *kaka* Payiira, for instance, was attributed to the "change-inducing" force that radiated from both *Rwot* Camo (1807-1887) and *Rwot* Awich (1888 to 1935). They mobilised and represented the entire Acholi region prior to colonialism and Sir Samuel Baker, on visiting Acholi in 1862 and later 1875, mistakenly thought *Rwot* Ocama were the paramount chief of the Acholi (e.g., Girling, 1960: 182). Similarly, *Rwot* Awich of Payiira, on assumption of leadership after the death of his father *Rwot* Camo, set to pacify the entire Acholi, brokering peace among smaller and larger *kaka (*Girling, 1960: 361).

Secondly, the concept was not related to the size of the polity, nor gender or age of the person. Even small agnates with a total of fifty males could have their *rwot* - through inheritance or bestowed upon them by the society based on the said attributes. There were also other *rwodi*, like *rwodi mon* for women with leadership attributes. *Rwodi kweri* were instituted during the colonial period for males with recognised attributes for farming or cultivation, while *rwodi okoro* were females with recognised attributes in women's field activities. There was also *rwodi bulo*, who were youth leaders. As such, *rwot*-ship was not entirely in the domain of the *luker* agnates. What was restricted to the *luker*, however, were *rwodi moo,* who were a sacred and hereditary trait of the *luker* agnates. *Rwot moo* and *ludito kaka* were both similar save for some functionalities indicated above that *rwodi moo* were able to do more because they were sacred, belonged to the core agnates, and were hereditary. One such attribute was the claim that most *rwodi moo* were rainmakers, an attribution that was perceived as important in areas predominant with drought. And if this is so, then it confirms the fact that as a trait, it was seen as more appealing in a leader to resolve the impasse of drought for farming.

Ker was used to describe regimes. As such, it becomes lineage-based and *kal* as a lineage of the core agnates often provided leadership. *Ker*, however, was transferable through demise of the holder, conquest or consent. In the case of *kaka* Padibe, I was informed that *jo* Pamot as a lineage took over *rwot*-ship from *jo* Patini by conquest[356]. However, in the case of Lamogi in western Acholiland, I was informed that *jo* Boro *kal* lineage was given *rwot*-ship by *jo* Pamuca through consent[357]. Two things are clear from the assertions. One is that the quality and the logic of *rwot*-ship and *ludito kaka* or elders as status symbols were equally valued across Acholi. However, certain traits of *rwot-ship* and *ludito kaka* were more appealing in some areas than in others. While the myth of rainmaking, for instance, was an important attribute for leadership, not all *rwodi moo* were supposedly rainmakers[358]. In a sense therefore, there were other binding attributes that were important for one to become *rwot latela*. Both the literature and the respondents

[356] Phone interview with Rt Revd. Bishop Mac Ochola on December 31, 2013

[357] Rwot Ociti of *kaka* Pagak additionally verified this information during our telephone discussion.

[358] My discussions with respondents from Acholi confirmed that some *rwodi* relied on their kin in rain making rather than them. A case was *Rwot* Okello of Alero was not a rainmaker

enumerated that leadership praxis, authoritative ideologies and problem solving in the fragile Acholi situation were other important characteristics (see: Atkinson, 1999, 2010:82-97). There are cases in which the engagement of *Rwot* Awich in the pacification of other political entities in the late nineteenth century, were attributed to such praxis. Similarly, the extension of *rwodi's* generosity to deprived clans and individuals were regarded as important attributes (see: Atkinson, 1999, 2010:82-97). Secondly, *rwot* was qualitative, often *dano makwiri* – somebody who was a father figure with a good character, generous and who could mobilise and lead the people. Such traits were not limited to the core agnates. To this end, *Rwot*-ship avers Dwyer (1972), was sometimes earned by putative kin found within the *luker* agnates, although I was not able to justify this in my search for evidence.

Rwot moo was also *rwot kaka* of the *luker*. He was not necessarily an old person. *Rwot* Awich of Payiira, for instance, I was told, came to power when he was only in his twenties (see: Anywar, 1947). The *rwot moo* position was hereditary within the *luker* agnates. Subsequent to colonialism and in the wake of official renaming of local chiefs *rwodi kalam*, the colonial authorities generated a number of other *rwodi* titles for specific community functions. They were both men and women as discussed earlier, appointed by their agnates, based on their capabilities. For instance, there were *rwot apoka*, who was responsible for the distribution of items, and *rwot okoro* is concerned with traditional rituals, land use, and hunting[359]. The first woman appointed to the position of *Okoro* /Mon, according to Burke (2011), is currently in Puranga Clan, located in the vicinity of Awere Sub-County in Pader District and Odek in Gulu District (see: Burke, 2010). There was also *rwot kweri* to coordinate cotton growing, public health initiatives and the communal construction and maintenance of public infrastructure and they are not formally tied into the system of traditional leaders.

[359] *Apoka* is an Acholi word for distribution while *okoro* on the other hand is the shells of snails. In the case of the former, *rwodi apoke* were individuals responsible for distribution of communal items. They were often symbols of transparency and honesty. In the later part of the 1950s and thereafter, most Christians might have become candidates for this position, as they were trusted in characters. *Okoro,* on the other hand, were the description of empty shells from snails and were used by women for weeding. Burke (2010) insinuation quoted above is entirelywrong because, these titles were titles I personally know and have equally verified with people like Bishop Ochola, Lapwony Yutiko Okello and *Mego* Lakor that they were strickly titles allocated to women. It was more to do with work in the field.

However, my view is that the stock of traditional leaders, their understanding of what was tradition and how these can support contemporary governance and their commitments to society have declined significantly in the 1970s and thereafter. Partly, this is because the lineage-based production line of local authorities came to a halt, as larger numbers of children began attending schools instead of the daily ritual they would undergo with traditional leaders. Modern education was introduced in Acholiland sometimes in the early 1900s. In the late 1950s and during the 1960s, modern education dominated Acholiland, inflicting losses to the traditional dimension. This was led by the Church and in partnership with Local Government (Onek-Adyanga, 2011). Additionally, the long spell of insecurity that began in the 1970s through to 2010 and the universal primary education brought by the development partners in the late 1990s that forced children to attend schools might have closed the chapter for the previous routes to becoming traditional leaders. It, however, retained the need to recognise *ludito kaka,* as older generations of leaders.

Thus, the ritual for identifying leaders, and enforcing their mentoring, socialisation and maintenance have since collapsed. The practice of hunting, dancing and joining elders in performing ceremonies and rituals have all faded over time, harshened by more appealing alternatives. The inability of the traditional system to prevail over abuses in their own entities, partly following its delineated role by the new system, and partly because elders were both physically and mentally incapacitated, shut them out of any effective engagement with the society.

Particularly during the camp life from 1986 through to 2006 or thereafter, elders became irrelevant and dependant on and therefore, liabilities to the living kin, especially the younger generation. Fiduciary culture as social investment of long-term gestation is often sustained by continued reciprocity from the beneficiaries. This social investment has been in decline in the aftermath of colonialism. Particularly after the 1970s, except at household levels, elders had not adequately invested in their future benefits coming from the children born in the village, as was part of its obligations in the past. Thus, elders during the LRA incursion had, if anything, nothing to offer gainfully to the younger generation who grew up in the camps. They, however, were of great use to researchers and NGOs, who used them as respondents in their analyses. This is also more significant when seen from the context that change after war was seen as a move forward, away from the past,

to which these elders belonged. This perspective, which was dominant, made elders more the source for history, respondents rather than *lutela* in the sense of recovery and development.

Opinion leaders as *lugwok paco*

Opinion leaders, on the other hand, were respected individuals, including the women who are all referred to as *ludito* and *mego* respectively. Their authority emanated from their impartiality, knowledge base, practices and experiences of both Acholi and the global world. For instance, retired experts often are categorised as opinion leaders. These category supports both individuals and local institutions in an advisory role. They are part of the *lugok paco* – those with exceptional knowledge and skills in philosophy, mentoring, provocative thinking and advice for the local content of governance. Retired civil servants have always helped clarify to the community the intention of government and how best they can engage with them. Similarly, religious leaders and private service providers like *ajwagi* have done their part in advisory roles. For a child growing up in an Acholi village in the 1930s to 1970s, *neru* and *wayo* as brothers and sisters of one's mother and father respectively, were mentors categorised as opinion leaders.

From Figure 6.1, *lugok paco* appear to have had a strong standing among the community. Especially during the NRM rule, retired and/or retrenched civil servants with valuable knowledge of the government systems have lived with the community and they were resourceful in the camps. Most of those who stayed in Acholiland, save for those employed with the NGOs, became economically dependent. Research that I carried out for the EU Commission in 2000, for instance, confirmed that most soldiers from Acholiland who were laid off during the 1992-5 Demobilisation and Re-integration Programmes funded by the World Bank, remained inactive within their community and were not enrolled in the LRA insurgency (see: Ayoo and Oloya, 2001). As part of their community, they have provided various supports to the community, including as lead facilitators of development programmes.

The public servants and agents of the state

The other group of *lutela* are the Local Authorities and state-based public servants. This group is what Fukuyama (2013) refers to as the bureaucrats or the political agents normally mandated by the state to execute its agenda. They are the public service - the mainstream administrative officers. They included the District Commissioners and chiefs of the colonial and post-colonial eras (1900 until now) and their contemporary equivalents, the Chief Administrative Officers (NRM regime) and the sector technocrats, including the teachers, soldiers, police and other specialists. Then there are the political appointees, which in the past included the District Commissioners and their present equivalent, the Resident District Commissioners. The latter were representatives of the central government in the district and coordinated security functions at the district level. These are what Kurtz (2004) referred to as office holders.

These groups draw legitimacy from their appointing officers, and in a *neo-patrimonial* state like Uganda, they are often recruited with that objective and are therefore compelled to work for the interest of their appointing authorities (see: Rubongoya, 2007:5-16). They are also known for holding what Mann (1986) describes as distributive authorities, which is power over others, political or professional. As such, it tends to be predatory and restrictive, and associated with what was external (see: Dwyer, 1972:10-11; Dolan, 2011: 8-15). These authorities became more effective in the 1900s when formal leaders came into full force in Acholiland. Today, the balance is tilted in favour of formal leaders, and their actions are guarded by formal procedures and engagements. They are also diverse in terms of nationalities. Colonialists preferred recruiting outsiders to lead change as public servants. Hence, all administrative staff and most core technical staff at the district level were not necessarily Acholi speakers, since English was the formal language for official governance. However, throughout the regimes, public servants in rural settings have been natives who can speak the local language.

The core state bureaucrats in both the Local and Central Governments have been able to change traditions into modern procedures and systems. *Rwodi*

kalam (literally, chiefs of pens)[360] who were subordinate to the state-based colonial authority, the District Commissioner, had elaborate structures of repression from 1902 to 1962. These structures were established at the Sub-County, Parish and Village levels. The Acholi regarded these civil servants as traitors of the customs. Most of them were from the *lubong* agnates, who were affiliated within the *luker* agnates and were technically foreigners within the lineages. However, as chiefs and sub-chiefs, they claimed responsibility for the Acholi "traditions", a system that they helped to craft in governing the Acholi as an appendage of the Uganda State.

As bureaucrats with mandates from the state, civil servants were state and local government agents, trained as carders to create change in Acholi. As such, they were not embedded within the approaches they deployed in changing the ways of the Acholi (see: Allen, 2010:253: Branch, 2011: 165-166). They competed, undermined and overcrowded the traditional authorities in community governance systems (see: Gertzel, 1974:57). The chiefs, for instance, exerted too much force in creating "order". Their mandates, however, progressive, became violent. These were unpopular actions that detached them from their own societies. However, in the 1960s, chiefs and their equivalents were more responsive. These were appointees of a political authority that was popular in society. As such, the bureaucrats tried to make amends with traditional leaders, hence the improved rating in the 1960s (Gertzel, 1974: 58). By the end of the Obote I era in 1971, Acholi bureaucrats had significantly expanded in all sectors and particularly in the military services, both nationally and at the Local Government level (see: Pain, 1998). The reform of the Local Government in the 1990s shifted the legitimacies of the chiefs and whatever their new titles became, to Local Councillors (see: Steiner, 2010). Working under the supervision of politically elected leaders, the rating significantly improved. During the protracted civil strife in Acholi, they became one of the strong pillars of advocacy, working closely with civil societies and the kinetic members of parliament.

[360] By 1935, chiefs were renamed *rwodi,* to align them to Acholi's traditions. However, the society referred to them as *rwodi kalam* because, unlike *rwodi* Acholi, they earned their rewards from training.

Kinetic politicians in Acholi

Acholiland, undoubtedly, has produced some of the finest African politicians in the history of Africa. Ambassador, Olara-Otunnu for instance, is the current president of the Uganda People's Congress. He worked as senior manager with the UN and was later suggested as a candidate for the position of Secretary General of the UN. The Government of Uganda, according to sources however, frustrated his appointment to this position[361]. The core of the Acholi political base has been ethnic, understandably. First, the ethnicisation of Acholiland resolved the internal bickering, which had characterised the *kaka*-based politics. Second, as a geographically isolated community, it had been pushed at the margin by the politics of centralisation. Hence, those who lived and have experienced the isolation, it appears, were pushed to articulate the very issues they understood as the things that set them apart from the others. In articulating these political issues of the Acholi as a category of the Uganda community, it seems that they had to press for collective views of the constituency as a team even when divided in ideology. In the recent past, during the eighth and ninth parliament under the NRM (2001 to 2011), the country witnessed as the parliamentary group from Acholiland stood with their society in a characteristic fashion that deepened the ethnic dimension of political governance.

There are key features of Acholi politicians that can be identified. They have consistently remained relevant to their people because of the desire to push for Acholi community's influence and ownership of key governing matters. Land matters as evident in the 1950s and in after 2006 are part of the examples. Often, it seems, that the kinetic dimension of this action is the demonstration of the fiduciary relationships they hold with their community, which demand a higher than ordinary degree of care.

There are possibly two levels of politicians - the national level and the "local" level or the local councillors. Politicians with higher ranking are more longstanding, yet Acholi politicians have historically very diverse political affiliations that were largely influenced by religion. Generally speaking, Acholi politicians have been effective and diverse since the 1940s. Until the 1960s, Acholi had local

[361] See for instance New Vision Newspaper 08/06/2009 by Olupot and Karugaba and also the Independent of 24/06/2009 by Matsiko wa Musooni, of 24/06/2009

councillors, who were split between the two national parties, the Uganda People's Congress and the Democratic Party. Respondents note that Acholi politicians throughout the 1950s and 1960s were vocal, courageous, grounded and relevant, something Leys (1967), Gertzel, (1974:62) commented upon. During the said periods, these politicians championed the equity question of the Acholi as a colonial project and tasks the institution of local governance with matters of development, including education of the people. By 1959, political leadership had established strong roots in Acholiland. However, this was mainly at the local level. As elected leaders, councillors, arguably, represented the interests of their constituencies. In the 1960s, Acholi representation was elevated to both national and local representatives. The interaction between the two levels were effective in the 1960s, leading to the growth of political governance – regular elections of representatives in the subsequent years until during the 1970s following the coup by Idi Amin. This situation was not fully recovered in the early 1980s and Acholiland representation in the early1980s can best be said to have been a compromise. Most elected leaders, said the respondents, were selected based on their parties but not capabilities as individuals.

However, political leaders needed to balance inward and outward perspectives to remain relevant in Uganda politics. In a way, the educational levels of leaders become a strong influence in this aspect. While many respondents considered that education has affected the selection of leaders since the 1960s, the majority view is that it has become a predominant factor in the last five years or so. New practices, like individual wealth creation, or reading and writing, have enabled old concepts of age groups and fiduciary and collateral bondage become less relevant. It seems that being able to maintain the livelihoods of the poor, because one has resources, has gained currency as an important trait in leadership. The current MP for Gulu Municipal Mr. Christopher Acire is semi-illiterate but he is rich and he is a leader even when he does not participate in parliamentary debates. New traits of leaders have allowed the emergence of new categories of *lutela*, who are both outward looking and also patrons of the new *kaka* formation.

Politicking - Balancing the Actions

The challenge is to carefully balance political dimensions – to promote politicians' control over society, keep internal political equilibrium, and link internal interests to the world outside its territory. In a *neo-patrimonial* system like Uganda, this can be a difficult task, as successful attempts must receive the endorsement of the political system. The difficulty with projecting Acholi's vulnerable position under the current despotism is that it undermines the image that the government has consistently attempted to portray. In such a situation, where modern state is used for patronage, politicians need to engage more with the technical wings of the Acholi elite: the civil servants, the civil society and those in diaspora as opinion leaders, to elevate their voices.

The experience thus far under the NRM, has been that local leaders who have been vocal, critical and embedded in the society have been labelled as anti-development and attempts made to isolate and move them to the margin[362]. This motive of isolating embedded politicians has created difficulty for them in supervising the technical civil service providers in districts. While engaging with local politicians was the norm in the 1950s and the 1960s, civil servants today are frightened even to try to give advice on politically wrong decisions to peoples' representatives. Typically, land issue in Acholiland has gone a wry as politics rather than technical voices have carried the debate, as viewed from on-going wrangles.

Regrettably, the level of articulating national questions by Acholi politicians has declined when viewed from the 1950s through to 2010, argues, P'Ojok (2006). Partly, the government in power today has created a situation that demands subordination of members of parliament to its ideals. But most members of parliament from Acholi are mainly focused on local issues that affect their constituencies. With the help of CSOs, members of parliament have been able to elevate their tribal agenda, rightly but perhaps too inconsiderably when viewed from statehood context. The failure of the state to provide protection to the Acholi from 1986 to 2010, the death and unhealthy living in the displacement camps, the failure

[362] *Katebe* is the local Uganda word for those who have fallen out with the system and are sent on a retirement without benefits. It merely signals that you have fallen out of favour with the system.

of the army to restore peace in Acholiland, the current nodding disease scourge and the dispute over land in Amuru for sugarcane growing are some of the examples of governing issues that visibly and rightly rocked the relationships with the state. The insistence by local politicians to formal approaches to resolving these issues, created a view that they were exposing a despotic system because they are mainly in the opposition.

Discussion of Leadership Profiling in Acholi

There has been some confusion in the nomenclature of *lutela* by some scholars, implying that leadership was hierarchical and therefore authoritative. Burke and Omiat-Egaru's (2011) study for the United Nations, for instance, wrongly observed that 'strict hierarchy' existed amongst the traditional Acholi leaders[363]. To the contrary, institutionally, heterarchy was predominant. Hierarchy was seen mainly at the corporate family level, where fiduciary relationships prescribed duties and power to elders as mentors of non-elders. The absence of hierarchy in the structures resulted in the persistent claims that Acholi lacked leaders because leaders are seen as authoritative. Generosity, astuteness (Gertzel, 1974:63), courage, consent seeking and charisma have been seen as some of the dominant traits of political leaders in Acholi over the years (Onyango Odongo, 2009). Arguably, there were different levels of political authority, jurisdiction and responsibilities that were recognised, as discussed in Chapter Four. These levels interacted institutionally to resolve social and political impasse. Burke and Omiat-Egaru (2011) found out that the majority of the cases of land disputes that traditional leaders presided over were successfully resolved. This is because traditional leaders know the issues because they live within the community and have an intimate understanding of the details and context of such dispute.

On the other hand, excesses of social power, arrogance and dishonesty from leaders often attract disrespect from the majority of the Acholi people. As one respondent commented about excesses in authority: "we all have power as individuals, so excessive power from outside has no market in governance" in this place. Within Acholi, some leaders are categorised as arrogant, detached and

[363] Burke, Christoper and Omiat-Egaru, Emmanuel, (2011), Identification of Good Practices in Land Conflict Resolution in Acholi

"inhuman" and some have failed to deliver to the political community, Acholi refers to them as *ludito malam* - valueless leaders[364]. They were still *ludito* because they have other virtues for being *ladit*, for instance, age and marital status. Arguably, Museveni's attributes fit into these negative attributes of *ludito malam*. For close to thirty years, he failed to deliver on peace, he lied about his intentions and "behaved like the colonialists, who merely were extractive" [365].

Museveni is undiplomatic about issues, whether he is wrong or right[366]. He is also damagingly uncompromising on matters of governance - wrongly or rightly[367]. This makes him the soldier man that sometimes resonates with the Acholi passions for self-belief and fate. He is courageous and moves things in his way when he wants, something that has characterised his relationship with the Acholi in the past twenty years (see Rubongoya, 2007:62-67 and Finnström, 2008:82-85)[368]. These attributes fit him well as a leader for implementing change but not in the interest of the Acholi. Museveni, it is argued, micromanages events thereby, denying opportunity for local innovations. For instance, he would go as far as suggesting where drainage systems should be placed, arguably because he is a practical person. However, even at the *dye-kal* level, the *won paco's* powers and duties had "serious" checks and balances, something that people felt does not come out with the president[369]. He did not fulfil his critical promises for peace, including eliminating the LRA, on time (see: Atkinson, 2010: Epilogue; Mwenda, 2010; Wanabe, 2014)[370]. These issues have disqualified him as a leader and earned him a title of *lagoba*, a

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[364] "*Lam*" an Acholi word as I know it and further discussed in a number of interviews, depicts the ability of someone to influence decisions. *Malam,* therefore, implies not evidently influential. But *lam* also means something else, which is relevant in this case. When it is not enought, when it is insignificant, it is said to be *lam* in Acholi.

[365] Confidential interviews with a number of respondents in both academia and in local governance with a broad understanding of Acholi governance system of the past

[366] See comments by Onyango-Obbo, editor of the Monitor paper <www.eatingchiefs.org>

[367] See Andrew Mwenda's blogs http://www.independence.co.ug (Accessed: several times)

[368]. The issue of land grab in Acholi is one thing that has stood out as something Museveni will not allow the Acholi from Amuru to prevail over.

[369] See for instance, analysis of governance in Acholi by Danis Pain, 1998

[370] There are strong opinions among the Acholi during the research time that as a leader, he was not committed to resolving the issues in Acholi, such as the killing of many innocent people in Acholiland, the destruction and stealing of assets, including livestock, and the failure to end the LRA war.

liar, and *ladit ma pe gene*, somebody untrustworthy. These views were expressed in interviews and in the field[371]. If decentralisation had worked well and peace prevailed, Museveni would have been made irrelevant to many rural Acholi people, who would have concentrated on what is closer to them and to what they could influence.

My sense of these is that some respondents contend that the character of leaders at the national level is a reflection of what is desired by the Uganda project. Ideally, these leaders are merely stooges of the system regardless of how effective the system is in terms of delivering the envisage results. The view that political leaders should be assertive, articulate, truthful, and have courage to speak about the ills in the community have continued to drive the choices of who can lead Acholi politically. However, this particular virtue is being challenged under neo-patrimony - where leaders are expected to be authoritative, to work in the interest of the political principal, regardless of the implications to the masses. To this end, the majority of Acholi politicians have been labelled as rebellious and uncooperative with the government. Acholi society has been starved of new ideas because of this dichotomy. The Acholi society has offered trust to partners, believing that their words can be relied upon. Much as this has defined the perimeters of the new *kaka* in Acholi, it has equally diluted the quality of what stood out in kinship – which was an obligatory, fiduciary relationship. The fundamentalism within *kaka* enabled trust because there was a responsibility to give to a kin what was due to them. So, "trust" has remained core in the making of choices, and yet it has been, in some instances, deliberately misinterpreted for the benefits of kin.

The continued elevation of trusts or *gen,* as an ingredient for truthfulness or *lok ada* and, therefore, reliability is, in my opinion, a hangover of the "tradition". It was common among those who grew up in the rural areas, where the "eyes of the customs" would see even at night and self-enforcement of norms were evident. These old memories of what used to be have provided the new informal system with some of what was in the old. The so-called elders that have emerged since the 1970s have that status merely due to old age, and they lack the knowledge base of

[371] In several of the interviews and discussions regarding leadership over the research period, these views were clearly articulated. In particular, in discussing the question of the LRA both in Gulu and Kitgum, these feelings were raised to justify why leadership quality is tied to trust and commitments to governing goals.

the tradition. Hence, they are *ludito ma obabe* or unworthy/stupid elders. So, while leaders are still courageous and can speak their minds and are elected, respected and followed, they have systematically and irreversibly, been drawn into the popular national traits of corruptible ones – those that act in their own interests rather than those of the people they represent. The opportunities that would have enabled "elders" and society to verify trustworthiness through practice have shown that the variant exhibited is corrupted by values that depict dishonesty.

Stereotyping change oriented leaders

The Anglican missionary, Lloyd wrote in 1904, and this was one hundred years later echoed by the NRM big wigs in 2004:

> **"On the whole, one would call them [the Acholi] a fine race physically, but not warlike. Probably if they had a leader, they would make a fighting tribe" (**Lloyd 1948: 84.)**.**

Recently, similar sentiments were reported in a diagnostic study funded by the USAID in Uganda:

> **According to Eriya Kategaya [Deputy Prime Minister in the NRM Government], government undertook a study of the conflict and reached the conclusion that the problem in Acholi lacks of credible leadership to act as the pivot for the peace process (**HRPC*,* 2004:64)**.**

In these two separate opinions, the architects of governance, although separated by time, contend that Acholiland desires leaders that coerce the masses rather than consults them for "national agenda". This view conforms with the hierarchical model of governance where ideas come from the top and are acted upon by the subjects, something that is contrary, as we have seen earlier, to the philosophy of *kaka*. As such, it violates the norms of a society and as indicated in chapter three, constitutes violence. In fulfilment of this perceived gap, the two regimes offered alternatives, of which the outcome in both cases was thoroughly disappointing.[372]

Stereotyping the Acholi leadership has been a form of violence. It has its roots in the identification of leadership phenotypes - the culture and customs, argued *Mzee* Bodo, an elder from Patiko *Kal*. For instance, their neighbours - the

[372] HRPC gives examples of these in the case of the NRM era, while in the case of the colonial administration, this information is found in evidence, both published and unpublished.

Langi - referred to them as *ogangi*. This was in reference to the Acholi settled lifestyle in villages or *gangi*. Literally, it was a prejudice, discrimination as the wandering Langi envisioned that settled living was ridiculous. However, the Arab traders and the European explorers escalated prejudices against the Acholi people, building on their ideological perceptions of African people (see: Finnström, 2008:55-58, 65-67; Uma-Owiny, 2013). As Finnström elucidated, European and Arab assumptions concerning Acholi were "uncritical and without much reflection, basing their conclusions on already defined ideological hypotheses" that looked at Africans as inferior (see: Finnström, 2008:31).

So, Acholi's real confrontation with stereotyping started with its neighbours and was picked up by the Arab traders in the 1840s and the first Europeans in Acholi around the 1850s. Being ideologically constructed, and rooted in the derivatives of enforced power, it also became an important ingredient of the "modernity" project. The stereotypes, however, became fully integrated during colonialism (1862 to 1962), under the guise of "customary laws" that set the Acholi apart from the rest of the "country" that made up Uganda. In the recent past, particularly during the NRM regime, similar prejudices have been an important ideological weapon in dehumanising, ridiculing, isolating and instilling a sense of psychological fear and hatred of the Acholi of Uganda (see: HRPC, 2004:62-64).

Acholi's political history, as presented thus far, is muddled with controversies. If Acholi is seen as a "limited statehood", what roles do local leaders play in advancing its interests in the central system? For historical purposes and relevance to this study, this discussion focuses on three major areas of narratives. These are i) the economic potential of the Acholi region because of its infrastructure, the people and the climate, since trade and commerce have been the driving forces of domination; ii) the internal leadership within Acholiland; and iii) the ability of the Acholi people to adapt to new ways of doing things, which requires leaders to conceive of and lead change.

Acholi was considered as a "county with little or no promise of success" (Berber, 1952: 31) by the colonial state partly because it was looked upon as marginal in three key aspects: its climate was relatively dry for cropping, the population was sparse for plantation labour and geographically it was isolated from foreign markets (see: Atkinson, 2010:4-5). Thomson (2010) agrees that the legacy

of marginalisation by colonialists had a lasting impact on Acholi of Uganda (Thomson, 2010:50). Additionally, the Acholi response to forced labour for peasant cash crop production and labour migration to the south was not enthusiastic, and hence, they were stereotyped as "naturally lazy" people (Berber, 1952). Because of its political organisation, a model of diffused power and customs, the society was considered "of no threat" to the British rule (Berber, 1952: 32; Atkinson, 2010: 4-5).

On the governability of the Acholi, viewed from an hierarchical model, Sir Hesketh Bell wrote to the Secretary of State on September 13, 1906 casting serious doubts that the Acholi were "unwilling to submit to domination by chiefs" and that they were lacking "powerful local authorities through which we might transmit our directions" (Berber, 1952:32) Such prejudices have been used extensively in the narratives about the Acholi, even in the present time[373]. Seen from its historical context, one can say that these have been perfected in recent times, as tools of "modernity" or simply evidence of coloniality[374]. Prejudice, as such, becomes a form of violence, which the Acholi continue to endure. Internally, Acholi has grown to accept that political contests are arbitrated by social power, and prejudice is but a part of it. Its politics, it seems, have been constructed on a very narrow front. Internally, social identity, based on social intimacy of neighbourhood and locality as well as kinship, has played significantly on how it lived thus far. There has long been a narrative about the need to identify "credible Acholi leaders" to manage the Acholi community, from international and national political commentators as quoted earlier above. They have defined such ideal leaders as being strong men and women who could help government get its agenda across to the people (HRPC, 2004: 64). Stated in this manner, "credible leaders" become, in the context of *neo-patrimony,* political benefactors that see change as being driven solely by the state and its political principal.

In a situation where the state ignores equity for national development, local leaders have often sought to deepen centralisation, to allow them gain some form of

[373] Focus group discussions

[374] For analyses of how prejudices have been used to dehumanise the leadership quality in Acholi, one can read Finnström (2003) and Dolan (2009; 2011) and to some extent Odoi-Tanya (2010)

autonomy in decision-making[375]. This feeling, in the case of Acholiland, builds on the local potential and the fact that when these potentials are managed correctly, could change the lives of the people. Under these circumstances, political leaders from Acholi have led vigorously the need for decentralised decision making. This however, has been seen by the central government as oppositional, rebelliousness and insubordination to the central authority (see: Berber, 1954). This has been the guiding principle of the "modernity" project under coloniality and has been applied during contemporary governance as part of the reform agenda (see: Berber, 1954).

It is neither new nor unfamiliar that those who seek to control Acholiland have concluded that they are rebellious and without "credible leaders", due to the persistent resistance of leaders to the adoption of further centralisation in general and national government policies in particular. Another perceived impairment of the Acholi people, notes Odoi (2009), has been their resistance against threats or excessive coercion and reluctance to submit to external authorities, which from practice, is a required precondition of the "modernity" project.

For instance, most post-colonial governments have tried to work with what they see as "credible leaders" by sidelining elected or preferred choices of the people. In order to divide the Acholi after the fall of Obote I, Amin preferred to work with members of the Democratic Party in Acholiland because they were in the opposition during Obote's era. So, most of them disagreed with Obote when he was in power. Secondly, they had political authority in Acholiland, which they could use to promote any form of anti-Obote's discourses. When the NRM took over power, it associated also first and foremost with leaders that had no social basis in the region. It "shopped around" [376] for local compatriots from within Acholi, what Acholi would refer to as rwot ineka ki nyero, who became the "credible" option of leaders or

[375] This conclusion was reached after an interesting discussion with a number of members of parliaments from the northern Uganda and later with friends from South Sudan on the subject of governance.

[376] The Europeans colonialists used the Nubians to administered Acholiland even though the Nubians were known to have mistreated the Acholi. The colonial administration that followed used hand picked District Commissioners and native Chiefs of their own choices to continue with their rules over the Acholiland. Similarly, all other regimes thereafter appointed their own political representatives to manage expectations at local levels. In the case of the NRM, it at the beginning used politicians with unpopular image to manage its affairs, something that ultimately challenged the motives of its governance. Respondents listed leader that are seen as opportunists rather than genuine pro-people who are or have been in government.

patrons to work with the government with the high handedness of a military administration (see: Postlethwaite, 1947:17; HRPC, 2004).

Governments have thus attempted to "think for the Acholi people" on the assumption that they know what is best for them, and this in turn, not surprisingly, generated opposition in both past and present. In the same manner, it bolstered within Acholi the emergence of "a new brand of kinetic political leaders" celebrated for their courage, passion and clarity on local issues, unreservedly.[377] And as Dwyer (1972:5) stated of the Acholi from 1890 to 1920: "they were not a people who succumbed to the Scramble; they were not conquered in any classic sense."

The failure by the State to recognise the different "carrying capacities", and "competitive and comparative advantages" of the different political actors as leaders in governance, have resulted in chronic corruption, disobedience, incompetence and the failure of regimes to make useful change. Co-opted leaders work for regimes rather than the society. During most post-colonial regimes, co-opted leaders were rewarded with wealth, and supported by government in their campaigns to gain the seats they occupy. Co-option has weakened the growth of genuine political leaders in Acholiland. Failing to develop internal agreements within the ranks of Acholi politicians has failed them to strategize as a collective, rendering their negotiation for alternatives often irrelevant. A case in point is the current wrangles in the Madhvani Sugar Works in Amuru. As a private entity, the Amuru Sugar Works has no clear benefits for the Amuru people. However, when approached from a post-conflict reconstruction context, the public-private sector partnership could have been negotiated to focus on some elements that would support local resettlement. However, the party faithful would, according to my respondents, disclose internal strategies in favour of self-interests.

[377] Rwot Awich of *Kaka* Payira was strongly opposed to the British ways of administration, which failed to recognise the Luo Gang as an entity with capabilities to govern the Acholi of Uganda. Most colonial administrators between 1889 and 1912 considered him a traitor of civilisation; yet, he commanded respect from the majority of his people and Acholiland (See: Anywar, 1947). Similarly during the NRM, young and vibrant leaders came into parliament from Acholiland on the ticket of expressively representing the issues pertaining to the violence. They included in Parliament 7 and 8: Hon Mao, Hon Oulanya, Hon. Okello-Okello, etc.

Internal disagreements among Acholi people

There are also weak and uncoordinated linkages between the national leaders and those at the local levels. While at the local levels, the Local Councillors are seen to respond faster, it has been very easy to dislodge initiatives by the centre. The recent outbreak of "nodding disease"[378] in the eastern part of Acholiland presented two important consequences. Firstly, while it resurrected the understanding that local and national politicians can work and resolve situations that affect the people, it also helped to show the missing links in local governance. This scenario was also seen in the case of the Madhvani Sugar Works, where national leaders have worked closely with local ones but have failed to galvanise better alternatives for the society.

In these two examples, the Members of Parliament (national interlocutors) and their Local Councillors (local interlocutors) reached out to each other and redefined the social problems, which they then articulated to the outsiders. In these struggles, the civil societies – the Acholi Religious Leaders in particular – played significant roles. The responses and outreach, however, faded away with virtually little impact. Perhaps this was because of the absence of the technical group with the power and ability to implement change. Technical people are subordinated to the state from where they get their legitimacies. The fears of collective responsibility to their government tend to reduce their visibility.

The leaders are currently overwhelmed by societal problem that accompanied post-conflict recovery. They also lack the drive and the capacity to push this through - resulting in an absence of collective problem solving. In the meantime, the civil society organisations and especially the NGOs filled in the vacuum, driving an agenda of liberal governance that is not determined or even shaped by local leadership, let alone local participation.

[378] Nodding disease is recognised by the WHO as one of the neglected tropical diseses. For the prevalence, history and continuing analyses of this neurological condition with unknown etiology that was identified in Northern Uganda in 2007, please refer to

Concluding Remarks

I have used historical data and laid out the parameters and perimeters of leadership in Acholiland, arguing that civil, political and traditional leaders have attempted to work together to resolve the crisis of legitimacy in the region. However, the interaction between the state and the community has been stressful, at least for the community. Based on respondents' views of their leaders, I have concluded that Acholiland, as any case of limited statehood, has benefitted from some categories of local leaders who are embedded and articulate about Acholiland. However, these very characteristics have also reinforced stereotype about them as being 'tribal' and conforming to stereotypes that have been used against the Acholi by outsiders since pre-colonial times. There is no convincing evidence to suggest that local politicians from Acholiland dislike hierarchical modes of governance. Rather, there is overwhelming evidence that based on history and prevailing situation, ethno-governance in Acholiland demands local participation.

Chapter Seven – Community Governance Practices

Introductory Remarks

This Chapter discusses factors that mediated change outcomes, arguing that in some instances, these factors resulted in complete change in governance. These factors are viewed here as social-political problems because they are social constructions and are therefore subjective (Kooiman, 2003:136). For instance, cattle raids have been a persistent and predominant feature of conflicts arising from culture and resource poverty. They have been common within Acholiland but also along the South Sudan and their boundaries with Karamoja in Uganda. In order to reduce subjectivity of these social problems, a process of validation was carried out covering the year 1998 to 2006, as part of this research[379].

This research reveals changes in the emerging governing practices and the growing perceptions about community governance. Through group work[380], an objective list of factors were ranked and prioritised by the respondents. The list reflects the perception of the respondents regarding the significance of these factors in mediating change in governance. These factors include: (i) political violence, (ii) governing environments, (iii) internal discourses, (iv) natural and (v) economic factors, as discussed below. In order to objectivise the risks developed by the core respondents, both secondary sources of information (e.g., UBOS, 2004; 2010) and a process of risk validation were carried with other key respondents in government and other institutions.[381] It was found out that most of the problems or risks identified were self-evident to people who know Acholiland. This situation represented what Gusfield (1981) described as a "homogenous consciousness" of the community about the risks found in Acholiland. In this chapter, I highlight the top

[379] In 2008 I met three teams of (i) ten members of mixed youth group, (ii) ten women and men, aged 35 to 50 years, and (iii) twenty mixed groups of men (8 aged below 30 years while twelve aged about 50, to validate the information regarding social risks in three focus group discussions. Three additional groups of the same composition were met by a research assistant in Buwayale, in the present Kiradongo and Pader districts immediately afterwards.

[380] I made use of the participatory tools of historical profile, time trends and ranking to dialogue on the risks. The definition of governance used in the research was developed from both subjective and objective views of the respondents.

[381] I am grateful to the World Bank staff in Kampala Office and the District Planners in the seven districts found in Acholiland, 2001 to 2009.

five risks or factors that were ranked by the respondents in the study with the highest importance.

The Major Causes of Change, 1898 to 2010

In defining, describing and discussing these factors, earlier analyses of risks or social problems were found to be complementary and supportive (see: Oloya *et al*., 1997; Oloya, 1998 and UBOS, 2004). Overall, droughts, diseases and pests (droughts and natural factors), deliberate destruction of crops/food stores, displacements and death of parents and political leaders ('political violence') and inappropriate policies and laws ('governing environment') were rated in the study as the most consistent and damaging factors that have affected Acholi. *Figure 7.1* provides the result of pairwise ranking of the risk factors that I have enumerated above. The vertical axis explains the intensity of the risks as compared with each other and all through the period under review. Most of the earlier information especially during colonial period were compiled from various literature and later validated particularly for the 1940s by the respondents.

Effects of political violence

The first and most pressing of the political risks according to respondents was political violence. This category included political threats, state-inspired violations, power-related issues that led to violent confrontations, the practice of war mongering, displacement, political arrests, murder, targeting of community leaders, tribal fights and *lweny kaka*. The community also acknowledged that prejudice, that is, the labelling of Acholi as *anyanya* or primitive people, has a political implication and constitute a violation of rights (Finnström, 2008:74-75). Additionally, historical events like the slave trade, cattle raids, destruction of food stores and food in the fields by both the LRA and the UPDF were included, although others felt that some of these were economically motivated.

Although it was claimed that some elements of *lweny kaka* were legitimised by the society during colonial time, most respondents concurred that they were results of the absence of law enforcement in the community. Political violence, they argued, destroyed social cohesion among the ethnic groups that were opposed to each other and it led to widespread distrust. Accordingly, those polities that did not

trust the other used this to undermine governance in those polities. The consequences of distrust were significant according to both observations and responses.

Respondents noted that political violence and especially prejudices, coercion, political arrests and killings have been a dominant feature of all forms of governance in Acholiland since 1898 (Finnström, 2008:172-173, 238). As such, political violence has been part and parcel of the entire contemporary governance system. The people interviewed recognise that the colonial regime made a number of arrests of *rwodi* that opposed their rules and in some cases, these *rwodi* were never seen back alive (Uma-Owiny, 2013). According to Uma-Owiny (2013), *rwodi* like Onung Ting Traa of Lamogi, Awic of Payiira, and Ogaba-Labwor of Pajule were arrested. However, some of the *rwodi* that were arrested by the colonialists and never returned include Rwot Okwok of *kaka* Parabongo. They for instance named Rwot Camo as one victim of political violence during the colonial regime. The Nubian force for instance, killed *Rwot* Camo of Payiira in 1887 on the instruction of *Rwot* Ogwok of Padibe, who was said to be his cousin (Uma-Owiny, 2013).

They also remembered stories of organised displacement of people of Alero, Payiira, Koch and part of Bwobo by the colonial authorities that lasted from 1910 to 1935 (Uma-Owiny (2013:64-66) [382]. This was on account of tsetse fly infestation of the area that needed to be cleared. They equated this move to the recent one during the NRM regime, which began in 1986[383]. This new episode lasted officially until 2006, although from field reports, there were displaced persons until as late as 2011 in some instances. Overall, the core respondents felt that political violence resulted in large migration of people, causing high death of children, instigated fear of and submission to the perpetuators. Additionally, it destroyed the trust people had in the traditional systems as it failed to protect them (see also: UBOS, 2004).

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[382] Uma-Owiny (2013) discusses how *jo* Payiira were brought and camped in Unyama and because of the unhealthy situation; they lost a large number of its inhabitants. This led to decongestion of the Payiira. Some were taken under Rwot Andrea Olal at Otwak at the shore of Togi. Some went to Loyobo and Awac under Rwot Obunya of Paico in the 1933

[383] Respondents argued that the Apar evictions, as well as those in other parts of Acholi following the discovery of oil, are on-going displacements

Political persecution and political violence were also remembered in the deaths of Perez Okoya of *kaka* Palaro, who was murdered in the 1960s, Archbishop Janan Luwum and Eremia Oryema, in the 1970s. These were prominent Acholi leaders that were killed as a result of violence in governance. In its survey of 2004 in Acholiland, UBOS found out that following displacement alone, more than fifty per cent of households lost their breadwinners (UBOS, 2004: 34). The report also confirmed an increase in the number of female and child-headed households in Acholiland following this episode. For instance, it states that at least fifteen per cent of children below eighteen years of age lost their fathers and six per cent their mothers. It further states that based on information from their sample population in Acholiland, at least six per cent of the children lost both parents (UBOS, 2004:34).

The general feeling from the respondents was that political violence characterised three regimes: the seventy years of colonial rule, the Idi Amin era and Museveni eras. Political violence has been the means of centralising power to political principals and it created networks of patronage in which the national security system finds itself entrenched and bringing together members of certain ethnic groups personalising national agenda. It introduced the practice of highhanded subordination (e.g., Boas, 2001:700). In the context of governance, it introduced favouritism, neo-patrimony and the manifestation of corrupt practices and illegitimate behaviour.

Drought and natural disasters

Drought and natural factors, including dry spells, epidemics, incidences of pests such as locusts and floods, were considered societal risks. *Annex 1* shows how significant and persistent they have been in the lives of the Acholi. Drought and famine, triggered the formation of multiple villages or *kaka* in the past, and nurtured the growth of *hegemonic acculturation* in leadership (see: Leys, 1957). However, they were also said to have caused displacement, famine, and death and, in many instances, spiralling migration of the people mainly during the colonial time. The incidence of the 1938 to 1940 droughts, for instance, was devastating. According to reports, ninety per cent of finger millet (*eleusine indica*) planted in eastern Acholi was destroyed and relief was required for around one hundred thousand people, which was almost the entire population of eastern Acholi. The case for western Acholi was almost similar. At least fifty seven per cent of income from cotton was lost due to bad weather (Pain, 1998). Acholi *ma malo* was classified as more

vulnerable to drought than Acholi *mapiny.* The situation was made worse in the following year with an invasion of locusts, which decimated all crops according to reports. This precarious position forced young men in Acholi to enlist into the Kings African Rifles, to fight for the British in the 1940 World War. According to Pain (1998), over sixty per cent of young men from Acholi sought employment in the army following these events.

The UBOS survey confirms the significance of weather in the area, noting that it is ranked highly by the Acholi for the period 1991 through to 2004 (UBOS, 2004). There were reportedly severe droughts in the 1950s and 1960s, which led to the death of livestock and people. The older generation also recounted these effects of drought during the colonial time and part of the 1960s, as provided in *Annex 1.* Presumably because during much of the NRM regime, people lived in the camps and were dependent on food aid, in our discussion, they underplayed the role of drought particularly in 1997 and thereafter. However, through memories of some of the events, they recalled the outbreak of strange alignments during the NRM regime that include Ebola, nodding disease and HIV/AIDS. These, they argued, reinforced the impact of other natural factors in worsening their vulnerability as a society[384].

The community recounted some of the governing practices that emerged in response to drought and famine in Acholiland since the pre-colonial time. *Caka,* an Acholi word for petty collection, became a common practice for weaker households, and was typically a symbol of vulnerability and reliance on the principles of entrustment and obligations. *Caka* have evolved in various dimensions, some extreme cases include migration. Ordinarily, it was a form of use of a woman labour in exchange for food, to fill the food gaps that existed. *Caka*, according to respondents, has been a feature of all the regimes but was well defined in the rural areas during the colonial and the first part of the post-colonial eras. Similarly, Acholi, through the use of *awak,* which were loaned labour for communal fieldwork, would engage in food production. Each participating household established two types of granaries: *dero mono* – food reserve and *dero kec* - regular stores. The

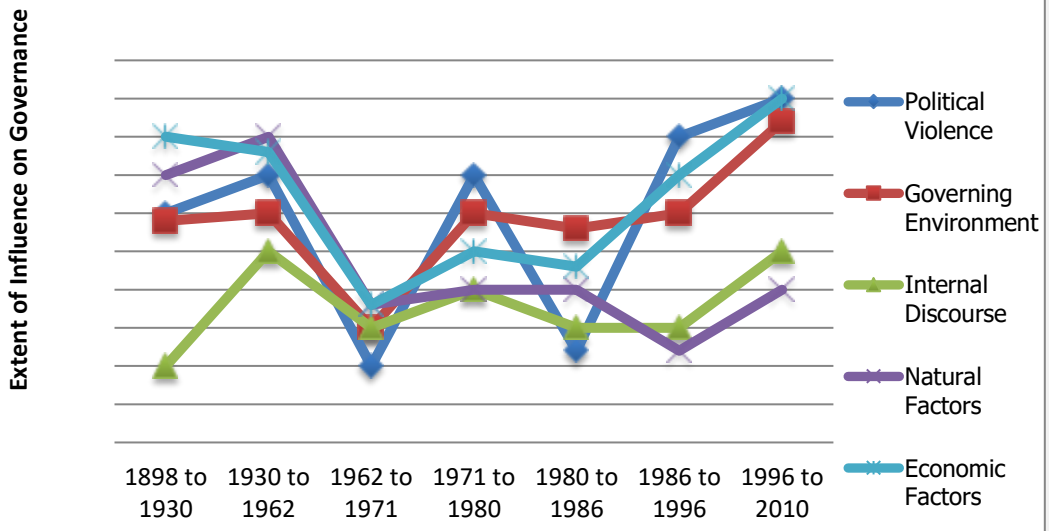
[384] See: UBOS, 2004; See also: Uganda Radio Network (2015). Acholi chiefs' demands nodding disease report, The Observer, 09 April 2015, n.a.

practice of establishing a food buffer became prevalent with the increase in production and productivity of agriculture.

Governing environments as a factor

The third category of risks was identified as governing environments, which are the conditions that facilitate political interactions. These include policies, rule of law, institutions – all representing the governing instruments. It was the general view of the respondents that historically national level governing instruments have ignored the core issue of sustainability in household livelihoods security in Acholiland (see: Brett, 1992: 5-12). As such, there was/is unsustainable delivery of services for growth in Acholiland. They felt that governance - defined as social-political - has been undermined by policy; rule of law and other governing instruments enacted forming the basis of contemporary administration (Brett, 1992: 5-12).

***Figure 7.1*: The Change in Trends in Risk Factors in Acholi, 1898 to 2010**



Source: Field Data, 2013

Uganda governments by adopting massively neo-liberal policies that rely on market forces, down played the realities of imperfect markets that prevail in Acholiland. The imbalance in the access of important information and other inputs for production, an approach that would have increasingly provided level-playing field for all to compete in the markets was desirable. This policy distortion has created dependency of Acholiland to the state and outside markets. For instance, during the

colonial period, the native chiefs and their analogues were forced by the state to enforce cotton production. Cotton production is dependant on the state mechanisms of supply of knowledge and inputs, which the Acholi had no control over. Consistently, market-based interventions have continued to frustrate the efforts of Acholi farmers, as they are not participants but merely induced by-laws and policies to get involved. As Pain (1998) observed, the opportunity cost of cotton production was the unending torture of women, food insecurity and growing number of polygamous families (see also: P'Ojok, 2007).

For instance, in the attempt to enforce modern statehood, the central governments sought to harmonise customary laws and their inward-looking perspectives towards what is seen as collective at the national level. In doing so, they acted aggressively and sometimes unfairly. From the discussion, it seems to me that the implication of the treaties that *rwodi* Acholi had signed in 1898 with Major Macdonald and Major Redcliff were not well explained to them (see: Gertzel, 1974: 8). This is more so when viewed from the immediate outcomes. Some of the older respondents articulated the view that the Acholi envisioned that the British signed the treaties to help end the suffering of the Acholi people under the Arab slave traders. They never knew that the British despised their politics of *facultative mutualisms*[385]. However, by signing, Acholi became a subject of the British Protectorate, something that was later contested by them, as was evident by the Lamogi and Labongo revolts in 1911 and 1912 respectively. Similarly, the policy of disarmament in 1901 to 1913, in which the Nubian forces were used to inflict suffering to the communities, was another policy prescription that was top down (Postlethwaite, 1947:51-52; P'Ojok, 2007). This, together with the compulsory displacement of the *lupiny* in 1913 to 1935, demonstrated the push for change that never took into account the local context.

The post-independent governments also varied in their policy prescriptions[386]. For instance, the respondents contend that the Obote I era was in their view, the most conducive of the governing environment thus far. Certainly,

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[385] Thanks to Charles Alai, Tiberio Okeny and Kwamogi Anywar for their insights based on various meeting and telephone discussions between 2004 to now with Kwamogi.

[386] These analyses are based on perceptions from respondents but are supported by objective analyses, some provided in Branch, 2011. In focusing on perspectives, I wanted to build on how the Acholi people have been able to interpreted governing actions of the state in particular.

there were jobs for those with an education (Gertzel, 1974). Education figures were up and household livelihood insecurity was isolated only in marginal areas as the agricultural technologies and extension were effective and transformative. The government also targeted state-led sector investments like the Aswa and Acholi Ranching Schemes, and the several other Group Farms that were jointly managed with local authorities. Primary education was decentralised and Local Government made considerable and relevant investments and policy pronouncements that promoted education in the district, in partnership with the church. These were supply-led, but also reflected local needs. The UPC policies in the 1960s perfected the colonial legacy.

The NRM regime on the other hand, sought to create fundamental change that was interpreted as sidelining the Acholi from its southern-led administration. The RC and the LC governing systems, however, resonated with the *kaka* form of governance. It allowed people to elect someone that would deliver services regardless of their political affiliation. The empowerment seen in this policy, unfortunately did not work as most of the Acholi were in camps and therefore unable to participate. Respondents stressed the contradictions in the policy and strategies particularly with regards to peace building. In order to promote its claim that it introduced peace in Uganda, the NRM's core policies ignored the element of facultative mutualism and imposed a new system of local governance that show the army and the NRM carders undermining the voices of the people, which were advocated by the members of parliament and CSOs.

In 1997, as a consultant with DFID, I undertook a study of the draft Land Bill, 1997. Together with Mr Mutiaba, who was the Chairperson for the Sessional Committee of Parliament on Natural Resources, we travelled around Acholiland with seven other Members of Parliament on the Committee. When in Gulu, we were informed by the workshop participants that at that particular time, Acholi's pressing issue was insecurity and not land issues. This similar evaluation of governing actions by NRM, where the Acholi or other northern ethnic groups are identified with, is common. During the same exercise on the Land Bill in Karamoja sub-region, elders and other area residents observed that government was not prioritising policy engagement in tandem with pressing local issues. Particularly for the most insecure areas in Uganda, the elimination of insecurity was important. However, the strategies used, according to respondents, disconnected with the realities on the

ground[387]. The respondents discussed the 1991 to 1994 intensive military presence and actions in Acholiland under Major General David Tinyefunza. Part of this was the Operation North. They also talked about the failed peace talks between Mrs Betty Bigombe and the LRA in 1993/94 following a change of strategy by the president (see also: Dolan, 2005). These and other pronouncements by the NRM, like was the case of Operation Iron Fist, bred scepticism about intentions. Dolan (2005) and Tripp (2010) have also highlighted contradictions in the strategy adopted by the NRM in bringing peace to Acholiland. On one hand, the government showed good intentions, including the enactment of the Amnesty Act in 2000, the Presidential Peace Team in 2002 and supportive expressions from leading government officials for dialogue, but other actions would often override these good intentions (Tripp, 2010: 165).

Acholi's internal factors

There were internal factors that were also seen as causes of change, including kinship, religion and the politics of *lumalo* and *lupiny* – the divide that often created a form of disunity. These internal factors were occasionally subsumed by external aggression as Acholi had to pull together to face these challenges as a political unit as now discussed below. Internal discourses, which pitched the *lumalo* against the *lupiny* but also one group of Acholi against the other, were manifested in many ways. Territorially, the *lumalo* have historically felt and rightly so that economic developments, especially in the contemporary Acholiland under central government have favoured the *lupiny*. Partly, developments are seen in terms of infrastructure development and Gulu town, as a regional centre, has progressed significantly. This, however, are dominantly private sector-led investments that have their incentives tied to the economics of development. This argument that underpin equity resonated with the principle of facultative mutualism that underpinned *wadi* in traditional Acholi belonging. Under *kaka* as we have seen, *wadi* had to share and, thus, it recognised the need to balance material wealth between different households within kinship. This too resonates with the principle of democracy under modernity. From *Figure 7.1*, internal feuds that divided the Acholi and made them vulnerable to exploitation, were many and could be categorised as political and religious. Some major intra-Acholi discourses in its history include for instance kinship rivalries, which scholars like Allen (1998) contends were caused by power

[387] General views expressed in interviews with elders across the region.

contestation. *Rwot* Ogwok Ayaro of Padibe and *Rwot* Camo and his predecessor, *Rwot* Awich of Payiira for instance, had *kaka* rivalry that dominated the history of pre and early post-colonial time (See: Uma-Owiny, 2013:21.

From literature, the rivalry between Rwot Ogwok Ayaro and the *rwodi* of Payiira - both were powerful *kaka* - escalated following Rwot Ogwok Ayaro getting support from the Arab traders. The Arabs exploit this rivalry between the two leaders in order to claim control over trade zones (Girling, 1960 cited from Finnström 2008:Chapter 2). Later, the colonial authorities, to support their own interests in Acholiland, reconstituted this petty rivalry between Payiira and Padibe. For instance, in the initial reform of the *kaka* governance, Padibe became one of the seven sub-counties subordinated under Lamwo County. This in a way, neutralised Padibe's ambition and direct link with Payiira, which was now found in another County all together but both of them, subordinated to the District. In the amalgamation, Rwot Erasto Obol, the *rwot* of Padibe became the County Chief (Uma-Owiny, 2013:72-73). Payiira on the other hand was divided into two separate sub-counties and both subordinated under Aswa County. Rwot Yona Odida of Payiira became the County Chief, while Yaconi Lugaca of another *kaka* Payiira called Awac, was a Sub-County Chief (Uma-Owiny, 2013:72-73). Both Padibe and Payiira as *kaka* had no direct interaction rather than through their own County Agents or the District.

In addition to political feuds, sometimes even among close relatives, Acholiland also particularly after 1904, was plugged in contestation of faith where Catholics and Protestant churches divided families and friends along their ideologies. Typically, from mid 1910 on wards, the missionaries had established several schools that were used to transform the core of the Acholi elites. From the experiences of some of my respondents and my own, both Catholics and Protestant schools were only accessible based on the orientations of ones faith[388]. This created first and foremost patronage in education and favourism, which brought about imbalance and nepotism.

[388] Because my parents were of the Protestant faith, I had to attend primary school some 10 miles away from home and yet there was a Catholic school only 4 miles away and on a well-graded local government road.

Uma-Owiny (2013: 70-71) observed that while the Protestant Church came in 1904, it targeted the households of *rwodi* Acholi and *ludito kaka* and most of these became candidates for the 1914 cadres that became *rwodi kalam*. Some scholars admit that the Acholi Local Council in the 1950s was split between Catholics and Protestants, suggesting that the churches became a strong factor in shaping governance in Acholiland (Gertzel, 1974). However, often in the face of challenges from the central governments, these politicians have shown great connectedness to each other for *"ribbe pa Acholi"* – the unity of Acholiland. A case in mind is the 1955 land reform that was opposed by the Acholi and Lango politicians.

Post-colonial Acholiland remained internally divided along ethnic, religious and political party lines. Following the first parliamentary election of 1961, Acholiland elected three members of the DP to parliament against only one from UPC party (Uma-Owiny, 2013:131). This clearly was a victory for the Catholics. Indeed, in 1961 the DP had won the national election with the majority but this changed when the Anglican-based alliance of UPC and Kabaka Yekka (KY) led to a formation of a government in 1962 before independence. The first post-colonial regime under Obote was characterised by chaos and political contestations (Rubongoya, 2007:15). In spite of this, Acholiland registered high economic development because local politicians placed strong interests in local governance. As a political community, the internal leaders attempted to unite the Acholi on core development values like education and agriculture.

Some of the respondents argued that outsiders often used these internal wrangles to pull strings of discord that sometimes polarises the Acholi. Those who agree to this view stated that these manipulations are historical and would make reference to how the Nubian forces prior to and during colonialism as was discussed earlier, were such manipulative (Finnström, 2008:37). The colonialists used the Nubians to crack the whip in Acholiland, as they set the old enmity among the *kaka* to flourish during contemporary Acholiland. In the appointment of chiefs after 1914, the British used these weaknesses in posting some chiefs to govern enemy areas or clans, like it was the case of Payiira under the different *rwodi kalam* – some were sent under *rwot* Obunya and others under *rwot* Andrea Olal, who both were traditional enemies of the Payiira (Uma-Owiny, 2013: 65).

These actions undermined internal unity towards the colonialists as common enemies. *Apoka poka*, or division also featured in the post-colonial era. Respondents noted that particularly in the 1960s, these *apoka poka* were embodied in religion and political parties. Significantly, the difference between *lumalo* and *lupiny* flared around the question of development that seemly favoured the *lupiny*. This led to Idi Amin regime splitting Acholiland again into East (*lumalo*) and West (*lupiny*). Ideally, the 1993/1994-peace talk initiated by Bigombe with the LRA in the early phase of the attempted negotiation was also, according to others, brought to a hold by internal wrangles around the leadership question and how Bigombe, a woman married from Museveni's tribe, could be made to head the assignment.

The devastating level of poverty following the return from the camps, and the politicised state interest in natural resources that are found in Acholi (as described previously), are now some of the issues that have set the Acholi elites against each other. Following discussions from the national press and other media, a line is drawn between the NRM supporters or imposers and the rest of the Acholi, who are now generally grouped as the opposition. The NRM supporters, most of them backed by resources, see the opposing viewpoints to that of the president as anti-developmental. As such, those opposing voices, including those of the CSOs – some genuinely analytical and representative of modern governance models – like how the president's assertions undermine decentralised governance, are all collectively seen as anti-government. Like in the past, communal development issues tend to bring Acholi together. For instance, the creation of several group farms, the Aswa and Acholi ranches as well as the establishment of educational centres all over Acholi in the 1960s and 1970s showed Catholics and Protestants, *lumalo* and *lupiny* converge in adopting a common stand for the good. Similarly, as the LRA war commenced, questions of forced displacement, the destruction of properties and politicisation of the war as an Acholi phenomenon, were collectively contested by the society – who in search of peace, show the politicisation of the war as divisive and unnecessary. It is my conviction that this same uniting spirits will prevail as poverty numbers worsen and deprivation through grabs and wrong policies become clearer to all stakeholders within Acholiland.

Socio-economic factors

While in the 19th century, Acholi had settled as agriculturalists – growing crops and raising small ruminants particularly the *lupiny* - and agro-pastoralists, the

economy was largely based on what is seen as subsistence[389]. This trend has not changed much and whilst the economy remains agriculturally based and dependent on smallholders, its economic status has remained poverty stricken throughout the period under analysis. Households remained the core production level with hand hoes as the major production tool that is used for household labour. Akena p'Ojok (2007) observes that monetary economy was introduced in the 1910s with the introduction of *awara* (cotton). Acholiland did not receive any support for major diversification in income sources and was unable to do much without government support.

Generally speaking, cotton production advanced by 1924 and ginneries were established, reducing the dragger of farmers walking long distance to sell the lint. While food production stabilised in the 1960s with staples like *eleusine indica*, and *cajana cajan*, with mixed farming as the predominant model, the hostile weather and the politics of the 1970s onwards failed to liberate the Acholi from poverty. The emphasis of a market economy and market-oriented production as discussed earlier on, became a dominant feature of the post-colonial eras. Particularly, after the 1960s, and then later under the NRM regime, government attempted to create a primary enterprise for Acholiland. Commercial cotton, which as P'Ojok (2007:8) enumerated, was introduced in 1911 as part of the protectorate agenda - to fund through taxes the colonial administrative expenditures in Acholiland and to supply Lancaster textile industries. But cotton could not and cannot become the primary enterprise for the region for the simple fact that under free market operation, there are alternatives (see: Baffes, 2009). In fact, the success of cotton in meeting administrative costs in 1915 was a result of suppressing "mailo-landholders" in Buganda in favour of the smallholders in Acholiland (P'Ojok, 2007:9). Cotton was also closely supervised and was compulsory, even when in reality, its production and productivity has no comparative advantages to other enterprises like sesame, maize or groundnuts.

To begin with, it resulted in a distortion of land use and labour priorities in families between food and income. P'Ojok (2007:10) for instance noted that

[389] There is often a misconception that under subsistence farming, there would be no trade at all. My own assessment of the situation is to the contrary. Most subsistent production is destined for exchanges, which are forms of trade. If anything, because of lack of storage facilities by most households, their products are often put in the market.

because it was well supervised and carried severe punishment of up to six months imprisonment when one failed to plant cotton, it suppressed the production of food crops. In addition, income that was received from cotton targeted specific areas of household expenditure[390] and foodstuff did not feature prominently in these expenses. Partly, foodstuff became the responsibility of women. Respondents admitted that unstable livelihoods, limited opportunities in jobs and agriculture, and limited capabilities of the community to sustain themselves are the pressing concerns. Gertzel (1976) submits that since the 1950s, commercial enterprises have been insignificant in Acholiland due to the absence of the private sector, implying that outsiders do not regard smallholder farmers and their cooperative societies as part of the private sector (Gertzel, 1974: 12).

The framework for poverty reduction that became the feature of the 1980s going forward, have been informed by the lessons of the 1950s and 1960s. Some of the priorities emphasised were inappropriate and misplaced. For instance, market-based approaches dominated the scenery with, in the case of Uganda, an over-emphasis on large-scale enterprises. In addition, the downside of emphasising monetised economies in a pluralistic system like Uganda is the risk of marginalising the non-monetised smallholders, who are the majority[391]. Recently, a group of youth lost approximately US$1,000 dollars, which they stuffed in their pillows because the commercial banks in Gulu town are not flexible enough to respond to their working demands[392]. While cash is important and desirable because it is fungible, it is not in my experience, the most appropriate instrument for resolving food insecurity in rural Acholiland. In the interim, policies need to provide alternatives. The sequencing of these policies, and especially placing a firm realism in the models for growth, remains an ideological battle that will most likely continue to see poverty deepen. .

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[390] In the 1950s and 1960s I learnt that the biggest expenses were education, marriage, taxes and assets like bicycles and occasionally construction. However, as cotton became the main crop, most of the family labour was taken away from food crop production. When universal primary education was introduced, Acholi were in the camps and had no sources of income. Remittances from family members employed elsewhere were used to meet some areas of expenditure.

[391] In this particular case, I refer to the financial infrastructure and the link to safety, security and other related investment areas

[392] A group of youth from Pakiri established a revolving fund as working capital but decided to keep the money in a tin container because the banks do not offer good interest rates, in addition to being far away and inaccessible whenever they needed the money.

A report by the World Bank as part of its scoping mission in northern Uganda in 2002 confirmed earlier reports (e.g., UNDHA, 1997; IRIN, 2005) that the Acholi under the NRM regime were largely living on food aid (World Bank, 2002). This means that food sovereignty, as a policy is desirable and promoting own production by households demand flexibility in how work can be done. Samples of studies by civil societies often contradicted the official information on poverty in Acholiland, which UBOS and the MoFED had continued to suggest (see: UBOS, 2004, MoFEP, 2008). There are well known criticisms of the official measures of poverty through expenditure on consumption. For instance, a wealth ranking study carried out in 1998 on behalf of Oxfam-UK suggests that some ninety per cent of the population were living below the poverty line of US$ 1 per day (Oloya *et al*., 1998). Similarly, a wealth ranking exercise carried out in 2002 as baseline information for the design of the NUSAF project, states that ninety eight per cent of the community in Amii Lobo in Palema, in Amuru district, were ranked as poor (World Bank Report, 2004). These rankings are carried out by the community based on local criteria, like availability of assets such as land, housing, cattle, and a guaranteed source of support in case of need.

Distilling Change in Community Governance Practices

Commendable economic growth and social transformation occurred between the 1950s and the 1960s in Acholiland, predicated by political stability. However short-lived, it demonstrated the competence of the change agents in blending a "rights-based" approach and "African humanity" in priming economic growth for both collective goods and individualism (see: Woods, 2003:4) [393]. The immediate post-independence period demonstrated that in fixing community governance, one needed to promote group identities, fix capacities and business conditions (see: Kaplan, 2008: Location 279-92). While colonial authorities introduced authoritative governing bodies, the first Obote regime made them politically accountable to the electorate[394]. It tried to use the public sector to prime

[393] Woods (2003:4) notes that the dominant discourse of "right-base" is the autonomous, rights-bearing individual and collective rights are recognized ONLY to the extent that they support the formation of autonomous individuals to be able to compete equitably in economic markets.

[394] Respondents felt that the initial period of the Obote rule redirected the role and politics of the Local Governments to local development as was evident by increased

local and private entities for the good of the local people. In doing so, the regime cross-fertilised rationality that is embedded in modernity with the Acholi humanity brands that was enshrined in the *kaka* tradition. The intercourse between these two models brought about changes in community practices, which however were short-lived. In *Table 7.1* below, I summarise some of the key practices.

Table 7.1: Summary of Governing Practices Validated, 1998 to 2006

Practice Areas	Definitions and Description of the social issues	Indicators
Governing Image (leadership and institutions)	The new institutions of governance, including those of local governments and for emergencies, have undermined the legitimacy of elders as status and respected leaders	Undisciplined and social deviants have increased in society
		More incidences of domestic violence are being reported in the camps and on return to the villages
		Wadi are less tolerant of each other than before and especially after living in camps
Governing instrument	Governing interactions at both the intentional and structural levels have consistently been formalised in spite of the prevalence of legal pluralism	Social categorisation along elitism, kinship, gender, households and individuals have emerged
		More daughters and wives are competing with their male counterparts for offices of governance
		Fear rather than respect for authorities has increased
Governing Actions	Mistrust and individualism have perforated fiduciary culture that was ingrained in kinship, neighbourhood and locality	*Wat obeno* being replaced by formal contracts between individuals and service providers.

Sources: Field Data, 2013

number of educational infrastructure and the health system. Acholi's economy boomed, supported by improving services and co-operative societies.

The politics and fungibility of entrustments

Kaka, as was discussed before, was not so much about primordial attachment or about what an individual contributed into it quantitatively. Rather, *kaka* to an individual was about the quality of its inclusiveness – how it treated an individual among all others. It was about its obligations to *wadi* as insiders – but also to outsiders, either as *dano, wan keken* or *larok* (see for instance Allen, 1998:56).[395]. Its quality and form of inclusiveness – the fiduciary duties - demonstrated both the normative and cognitive values of an individual right - the right bearing individuals as separated from the collective right of being. *Kaka,* as I know it, supported both the collective rights of the consociates to the extent that it permitted an individual *gang* polity; to compete as an individual polity, claim its right to its eponymy. On another hand, the *gangi* and *dye-kal* governing levels "freely" exploited their *fiduciary* capitals in supporting the growth of lineage-based authorities through kinship ties in form of entrustments.

Hence, *rwot*-ship and *wat obeno* or kinships were two mutually inclusive tenets of the Acholi socio-political organisations. *Rwot*-ship was political, built on the culture of facultative mutualism exhibited by the nature of interaction between the core-agnates and their non-core partners. As such, it was contractual, with varying expression of consents, and based on clear governing interests. Thus, the political authority of the *rwodi* or their obligations, it seems, was conditioned on a number of governing standards without which they had no respected political legitimacy see: Fabienne, 2010:1). Kinship, on the other hand was what Shipton (2007: 14) referred to as entrustment, which is obligations without trust. First, kinship was/is primordial or in some instances, it was negotiated following elaborate evaluative exercises followed by ceremonies. Such putative kinship (*wadi anyoma* or *wadi agwara*) was qualitatively strong.

For instance, kinship demanded entrustment from the clan as an obligation. However, an individual's entitlement was determined more by one's own quality of

[395] "*Dano*" is an Acholi for a human being and therefore a possible ally. "*Wan keken*" on the other hand denotes commonalities and therefore collectivity regardless of genealogical attachment. "*larok*" is used to describe foreigners who may not necessarily be foes but are not insiders.

embeddedness in the system rather than that of their corporate families[396]. There was some a minimum threshold of obligation that every member demanded from the clan and was entitled to. It included for instance, burial on ancestral ground. However, some individual members had more entitlement because of their demonstrated quality of attachments, some enhanced by the social position of their corporate families in the clan system. Thence, *kaka mera* or *kaka na*, which expresses one's claim of belonging into a system, was more about what one could and could not expect from kinship. Kinship at most, was not a choice of an individual. It was a family set-up into which members grew, staking lifetime investments for its growth.

From this perspective, kinship ties and values were a given, imposed by culture and the children born into it, were expected to live by the doctrine (Girling, 1960:82). It created networks of peers, mentors and advisors with varying authorities that made *wadi obeno* a unitary representation of the clan system. The networks provided the insurance of the inward-looking system and assurance for remaining relevant and right for the sake of the clan. And this involved practices that enabled continuity, provided social protection for individuals, but demanded as a moral responsibility, quality obligations to the group. With competing opportunities in the wake of pluralistic systems prevalent in the society, some of the practices have changed for worse or for better. Many respondents submitted that, with improved human security through the formal system, *kaka's* legitimacy dwindled significantly.

Practice and habits of reciprocity [397]

As a traditional norm, all known governing levels of *kaka* had specialised obligations to their members. The ways these fiduciary roles were extended to an individual are said to vary. This form of entitlement to members concurs with what Bourdieu (1984) submitted in conceptualising social capital. Bourdieu (1984) sees social capital as structural and constituting group identities and strategies that can

[396] It was common to hear remarks from elders that so and so deserved more. He has often stood up for the society. Similarly, it was common knowledge that individuals as well as entities were publicly appraised as inadequate and deserved less.

[397] Materials for this discussion were additionally collected from interviews with elders including Rt Revd. Bishop Ochola, Charles Alai, Vincent Uma, Yotiko Okello, Okeny Atwoma and Mama Lakor, Margret Labol and others.

be misuse for exerting privileges. Hence, individuals had varying levels of access as well as status in the community.

For instance, it was an obligation for all able-bodied and matured people to take care of their old parents and the elderly in the society. The society was also obliged to parent children by providing guidance and in educating them about the good and bad of the world. This form of obligation embraced the entire *wadi obeno/remo* networks that included the *paneyo*, the extended lineage-based families that made up one's own clan. This was symbolic, often viewed as *kwiri tic*, which was precedent[398]. Obligations of this nature were honourable when fulfilled or were extended to elders who have no children of their own.

This practice is reported to have existed during the colonial and most part of the post-colonial eras, when modernity had not substantially influenced the lifestyles of the Acholi people. This was a burdensome practice both in terms of the size of the portfolio and time. It affected negatively those immediate family members of the patrons. This practice profiled kinship as familial attachment, close and an insider virtue. For the few enlighten and sustaining kinship networks as entrustment without trusts, the meaning of reciprocity under modern regimes translated into individual debt burdens owing to the society.

The intimacy of kinship was explained by how the entire network was stratified into women, children and men. All women and girls in the village were either *dayo* (grandmothers), *mego* (mothers), *wayo* (sisters to fathers), *lumego* (sisters) regardless of whether they had children of their own or not. Similarly, men were *kwaro* (grandfathers), *wego* (fathers), *omego* (brothers), regardless of whether they had their own children/ grandchildren, or not. The basis of such familial attachment was the *abila*, the shrine of a common ancestor that was the platform of unity and faith for the lineage group. *Latin maber* or a good child of the lineage was steadfast, self-accounting and one that demonstrated to the kin "his" maturity in the customs of his people. He was the *lapii* among his/her peers. Patronage, it seems, was built in the *abila* rather than individuals as a collective.

[398] The Acholi statement: *kwiri tic* denotes exceptional behavior or best practice by its members that should be the standard for members to reciprocate.

As late as the 1960s and 1970s, most rural Acholi still viewed kinship as an extended family and by their actions and expectations. It was very similar to the contemporary family settings[399]. A kin-person had access to ones house and other personal goods in a similar way as one's own child. This manifestation, however, varied to different degrees across Acholiland. For instance, some insignificant number of respondents from Acholi *lupiny* contends that kinship bonds began to fade by the 1930s especially among the elite. Particularly, increased demands for the core elements of modernity and services – modern education and urbanisation - by the entire clan system weighed heavily on the shoulders of the few men and women within the clan, who trailblazed it. It was unsustainable and this triggered internal discontents within the system as early as in the mid 1900s.

Fiduciary culture – the moral dimension

The popular arguments advanced for fiduciary responsibilities to kin, and especially the elderly in the communal setting, as discussed before, were in keeping with the principles of humanism, equity and social capitalisation. These principles underscore insurance of equity, reciprocation and obligation for humanity. Traditionally, raising an Acholi child was a risky and expensive investment especially due to its fragile context. Typically, mass poverty, seasonality of lifestyles, cultural orientations and the competing needs of the system, overburdened households (Girling, 1960:61). For this reason, children or *litino* constitute a significant component of community support system most part of the year. Unpublished data capturing household seasonal calendar of work (Girling, 1960:61)[400] generated during a research I carried on behalf of Oxfam-UK in Kitgum in 1997/8 show that children in Acholi play pivotal roles in community support system (see: Oloya *et al*., 1998).

[399] My father who died at 86 years in 2012 narrated to me how together with eight other boys from five different lineages in Pakiri village, they were educated by a *Ladit* Philip Okec, who was one of the first District Administrators in the 1950s. Okech treated them just like siblings, and, in return, they helped produce food for feeding the family at the home of Okech.

[400] To be working in Acholi is considered as paid labour or *tic*. Thus, nanny (*pidi*), agriculture labour (*pur*), hunting (*dwar*) are not typically categorised as work or *tic*.

Children and especially girl-children even today, co-manage younger siblings and bore heavy household burdens alongside their mothers or female relatives[401]. While the trend is definitely improving, women and children were part of the wealth of an Acholi family and investing in them was a fiduciary responsibility. Generally, when all children became adults, they metaphorically, became a form of "working capital" that the society variety used at will. The phenomenon created for each of the child, a form of indebtedness to a system - not to an individual – that contributed to its development. Fiduciary duties by the society were moral concern and this created indebtedness to all the beneficiaries of the system (see: Shipton, 2007:12-25). The repayment schedules and currencies of social debts were variable both in amount and time. Rather, a qualitative response - one that is normatively and morally justifiable, recognised and generally acceptable amounted to fulfilling one's commitment. Often, social debts, as Shipton (2007) observed with the Luo of Kenya, were a lifetime commitment. However, vulnerable households had their obligations bought off or written as bad debts and transferred to the corporate or elementary family - including the daughters who could have been married into another agnates. Based on this scenario, it was evident that legitimate authority actually rested at the corporate family level, not the ethnicity level – whether *gang* agnate or Acholi tribal levels - as many have insinuated (Girling, 1960: 188-192).

One form of commitment, which was morally patriotic, was for an able person to forfeit a personal assignment for the sake of a kin. For instance, a woman leaves her food burning on the fire to serve a neighbour, whose house had caught fire. Morally, she rescued some valuable properties and possibly life at the expense of a one-time meal for her household[402]. It was a sacrifice that morally was seen as qualitative. It was the quality of it not the quantity of what was received that counted (see: Allen, 1998).

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[401] It is always noticeable that large households were better governed in rural Acholiland when girl-children are older and would support their mothers. Their interactions combine mentoring through practice and coaching. My discussions with a number of analysts of Acholi origin conclude that camp lives have denied this mothers-daughters interactions and this has led to poor management of the emerging households in Acholiland.

[402] A typical household asset included pots as stores for seeds and other valuables, cooking pots, grinding stones and other stuff

Changing trends in lifestyles in the society

Overtime, there have been disruptions and pressures, in part, due to a blending of rationality and humanism as two complementary principles. Thus, new practices, alliances and support systems have evolved in Acholi, influenced by impoverishment, time and the absence of reciprocal benefits of *wadi* ties, particularly from the point of view of those who were on the giving end. Reciprocity fizzled out much quickly in the urban areas and mistrust crowded the vacuum, as *wadi obeno* became more of liabilities because the mutuality that supposedly was ingrained in it was corroded by time and practice. Especially by the 1970s and thereafter, many educated Acholi relocated away from home in search of work or were running away from political persecutions. Their continued attempts to use kinship networks to maintain their interests in Acholi were frustrated because kinsmen and women misused these opportunities[403]. To the contrary, such initiatives of modern values were misappropriated by kinship as ownership became challenging. A case well discussed was where tin he 1970s and 1980s, the educated men in exile invested in livestock but through kinship decision, these were diverted for kin's marriage by those at home.

Kaka's key function of safety provision also changed with modernity and by the 1970s, the traditional fiduciary duties associated with kinship recoiled effectively to *dog odi*, and *dye-kal.* Supposedly, alternative social networks like the old boys (OBs) and girls (OGs) – those who attended same schools – became visibly more meaningful because it adopted the traditional virtue of reciprocation. An OB or OG would employ or bail one out of financial problem, for which the beneficiaries would reciprocate when the opportunity arose. The respondents also felt that *dye-kal* as lineages governing level lost the political legitimacy by the 1980s, mainly driven by market forces. They further asserted that kinship or *wadi obeno* became a clear liability during the camp life, which variously started from 1986 to 2010. The default expectation from kinship ties that drove *kaka* ideology in the late 1800s through to mid 1900s was overstressed during this period. The large numbers of kinsmen and women and their demands and expectations were overwhelming under the circumstances.

[403] There is a great deal of evidence, especially since the 1980s, of appropriation of funds sent by Acholi diaspora to invest at home by kin. It includes misappropriating funds for construction work, or diverting remittance for parents who were in displacement.

Noticeably, only ten out of fifty cases considered kinship still to be an important issue today. They claim that kinship is still effective in limited ceremonies and rituals, such as reburials of those who died outside the ancestral grounds, and funerals in general. However, they admitted that, because of displacements, kinship has turned predatory rather than reciprocating, thereby burdening those with some resources. The inability of those "who have" to support those who are worse off, has been taken as a failure by them to comply with lineage requirements. One elder from *gang* Pakiri stated that *tedo kac*, which was a lineage-based ceremony was last performed in their lineages in the early 1970s. Christianity, to some extent, helped end this practice. *Ladit* Yotiko Okello, who is one of the few elders now remaining in *gang* Palyec, admits that *tedo kac* for his immediate lineage – *litino pa* Keri or the children of Keri - was last performed in 1974 while *tedo abila*, which involves all lineages that claim same ancestor as *gang* Palyec, was last carried in Olwal in 1963[404].

Emerging social categorisation as a practice

In discussing the patron-client relationship in the context of *kaka*, my sense is that patronage, as an old form of social investment, existed between the clan systems and the beneficiaries. The clans used individuals from the different households as mechanisms for aiding communal programmes. Typically, beneficiaries of patronage were initially from the different *dye-kal* as corporate families. Clan elders, particularly from the *gang* agnates at a communal level, would seek to balance disparities among the different corporate families by diversifying human investments across the agnate[405]. For instance, by the 1940s up to the 1960s, an educated and wealthy person would be expected to support virtually the entire *kaka* as a financier of a *kaka* patronage project. Often, these local donors might have benefitted from the Church educational funding, and in particularly the Catholic Church, which supported most of education of the Acholi.

Hence, by the 1960s through to the 1970s, there was an accumulation of human skills in public services and wealth around a clearly defined category of people and ethnic bases, prompted by the expanding training institutions, individuals

[404] Interview at his house in Gulu town on March 15, 2013

[405] I thank Ladit Yutiko Okello of Pailyec, who was a beneficiary of this approach. He gained access to school by staying with *Ladit* Pillipo Okech, who was from a neighbouring agnate, Pakiri

and kinship, in partnership with the church. The individuals who benefitted included mainly children of civil servants, but also those who had a close association with the church[406]. Although, scholars have advanced that by 1898, there was no significant categorisation among the *luker* and *lwak* agnates as social groups (Dwyer, 1972: 30-32), the *rwodi* and those who collaborated with the Arab traders accumulated some form of wealth (Atkinson, 2010:261-273). *Rwodi* and the *luker* lineages also received *tyer*, contributed by the non-core in fulfilment of their political obligations in the consociation. These sources placed them at some advantage compared to the non-core agnates. Girling (1960) avers that the number of wives the *luker* had were a manifestation of their wealth because wedlock was not affordable by most of the ordinary households from the non-core agnates (see: Drigberg, 1932; Burite, 2007).

However, the balance in access to education as a new pathway for livelihoods levelled the playing field and there was no significant stratification in Acholi that favoured the *luker* as a group. To the contrary, most *lubong* as well as the *lwak* agnates used the opportunity to educate their children. It is also likely that the majority of the Acholi who joined the army in the 1930s and 1940s were from the non-core agnates – which were characteristically the poor - so that they would have the resources to marry.

Movement in the cultural substratum

As a result, new bridges have been built that embrace both legal and social contract systems rather than the division around kinship. However, even this has proven precarious. First, the enforcement of formal systems of justice is highly corrupt (see: Gloppen, 2014). Secondly, practices that conform to formal rules are rare because for over thirty years, patrimonialism has created a system that is obscure. Rule by law" or "rule by customs" (Justice Resources, 2004: 23-40) where authorities merely use selectively existing rules to disadvantage their opponents, is rampant. Cases of fault arrest, to intimidate diverse views from the official versions have been reported (Justice Resources, 2004:23-40).

There is also growing evidence of corrupt practices in the national legal system, manifested in the manipulation of evidence and lapses in procedures for

[406] A Telephone discussion with Mzee Tebere of Payiira, who confirmed that Keyo School and Wii Mucalaba, where Christianity was introduced in 1904, became two important catchments for formal education in the 1930s onward.

justice (see: Okello, 2008). The system failures have favoured the wrong doers who live in Uganda, as the Acholi living abroad do not have that ability to meet the demands of the corrupt legal system which requires being *in situ*[407]. Conversely, there have been gradual changes in the "cultural substratum" leading to mixed and sometimes conflicting interpretations of governing practices by contemporary Acholi (see: MacAdam, 2000). Of significance here are changes in interactions among kin as submitted above, and the distillation of gender and lineage-based authorities in the governance systems of the Acholi. Particularly, younger respondents observed that foreign cultures have infiltrated hybridised customs with the consequence that post-*kaka* phenomena are so confusing and disorderly, it is difficult to suggest that the past contributed anything to the modern practices.

Kaka Renegotiated, Rebranded, Repackaged

Kaka traditionally as discussed in this study embodied humanism. It employed facultative mutualisms to ensure the promotion of *autopoiesis* among participating agnates. This principle enabled the growth of patrilineal identity, which was also a typical feature of all the governing sub-systems of the community (Girling, 1960). Kinship – as a constituency of *kaka* - on the other hand, advocated entrustment as a form of fiduciary culture. It demanded entrustment without trust because it was a given as it is both primordial and putative. The claim that *kaka* was associated with collectivity, obligations and rights explained the main features of *kaka*: a regime of shared governing efforts with an entitlement and rights for participating members. In other words, *kaka* embodied *gen* more that primordial attachment as an ingredient for social-political interactions. This was an opportunity where the nature of politics, and the arenas in which they were excised, enabled even smaller agnates to consent or to disassociate. Those who lived it, that is, the older generations in the age bracket above 50 – contend that the unique benefits of *kaka* are now fading, if not already gone. They argue that, while *kaka* as in chiefdoms had offered community protection in the late 1890s to the early 1950s, by

[407] Since the late 1990s, complaints about judiciary processes have been in the media. See for instance: Anti-corruption court to stay www.newvision.co.ug/news/650757/ant-corruptio-court-stays.html (Accessed: 04/06/2013); Ugandan prefer LCs to Judiciary System, says report <http://www.newvision.co.ug/…/655351/ugandans-prefer-lcs-to-judiciary-system.html> (Accessed: 04/06/2013)

the late 1960s, *kaka* as in *gangi,* became more relevant for the formal systems in human protection and was fully taken up by the state[408].

Rationalisation of traditional governing entities

Gang eventually used its fiduciary characters to invest in education, spiralling its lineage transformation and identity under the ambiance of the state. The introduction of Local Council level one in the 1990s as a political-cum-local government system supplemented the engrained philosophy of *ludito kaka* in resolving governing matters including security, land governance and domestic violence. Increasingly, particularly in the 1980s, *dye-kal* as corporate families and *gangi* as the parameter of kinship authority, also began to fade, living *dog odi/keno* at the micro-level of authority as the functional authority alongside the formalised structures.

I see this development – the downsizing of fiduciary relationships within kinship – as an outcome of a hybrid culture; a situation born out of a blending right-base approaches with the *kaka* philosophy of humanism. Similarly, the hybridisation of *kaka's* humanism also escalated the process of gender emancipation in Acholi, something I discuss later in the Chapter. The education of a woman and her ability to embed in the traditional culture of listening, tolerance and commitment to a "foreign" culture, has emerged as a strong virtue for forward-looking Acholiland. By 2010, most youths – men and women – I talked to, confirm that gender segregation as was practiced under the colonial and post-colonial eras, is insignificant in their lives.

Gang as an organisation of lineage-based *wadi remo* has also changed from its traditional centre of local governance as an authority, to a struggling forum that attempts to facilitate selective traditional functions like the burial of kin. In some cases, *gangi* as lineages do collaborate to benefit from NGOs' activities. In such instances, they are recognized by NGOs as administrative territories that can benefit from social services like water points. Occasionally too, *gangi* would come together in celebrating marriages of one of their lot. In other words, the traditional governing structures that ordered patrilineal compliance during Acholi *macon* have changed –

[408] An elder in one of my discussions wondered what would have been the consequences of the droughts and famine of 1938 to 1940, if the state did not exist. He stated that *kaka,* as he knew it could have not mobilised food aid and medical support in the way the state did.

more in line with the state's political delimitations of what they should be. Similarly, the revised content of *kaka*, including the authorities, values and benefits of facultative mutualism have been renegotiated. Those who enforced traditions in the past have been "retrenched" or simply made redundant under the new arrangements, where new institutions like schools, police and churches have taken over the responsibilities to mentor youth. This change embraces the altitudes and mores of the society and it has continued to submerge the old culture, sometimes with devastating consequences to the people.

Kaka's core ideology of humanism has been further repackaged during the NRM. While in the past, its facultative mutualism as a principle involved a number of primordial agnates – within a common locality, neighbourhood and with interests, today *kaka* is symbolically rather than structurally inspired. It is a multi-layered and a multi-purpose interaction that targets the Acholi, as victims of political circumstances by a number of resourceful foreign-based and local CSOs, INGOs and Local Governments who are new political actors. This new alliance draws its strength from formalised contracts, global polishing and western democratic principles instead of a bottom-up demand of the people. They constitute an emergence of a community where primordial attachments – where locality, neighbourhoods, intimacy, sociality and social mobilisation - are now insignificant.

Rather, as discussed in Chapter Two, this development blends rationality and humanism and uses the legitimacy of the traditional system and that of the state, to address the globalised questions of local and individual rights – which ideally, from the look of things, entrenches the western viewpoints in renegotiating and redefining new boundaries in governing the Acholi. For instance, it constructs the Acholi as victims of poor governance and sought to apply global standards to raise their stake and voices in state matters[409]. It, thus, legitimises Acholiland as a politically vulnerable territory that is subjected to international terror. These perspectives arising from the inter-marriages of ideologies demonstrate how shared governing efforts have symbolically constructed a new Acholi community. The Acholi becomes an imagined community comprising a number of actors that are not linked socially or structurally. In doing so, it has reconfigured the efforts of recovery-cum-developing Acholiland based on the different "carrying capacities" of the new

[409] For some of these viewpoints, most of which followed the LRA atrocities, see for instance the CSOs analysis of land matters in Acholiland in 2005.

community in negotiating violence and influencing new governing strategies. The quality of the interactions, the forms and the states of successes are defined by the present conditions prevailing in Acholiland. Hence, *kaka*nisation in Acholiland manifests global context as demonstrated by the project, the Invisible Child's Kony 2012. This project set to exploit the legitimacy of the Acholi society as a victim of global disorder where state legitimacy has been challenged by rouge forces, the LRA. Ingrained in this project is the *kaka*nisation of the plight of the children of Africa. This patronisation of the African society set to formalise the fight against the LRA and its allies in defence of the state. The global campaign has been effective in portraying the villain LRA as devilish but not the state as a failure of democracy.

Acholi Women and Wives and the Value-Chain of Change

The view that women had no significant place in Acholi's patrilineal system is as old and questionable as it is over generalised (Uma-Owiny, 2013: 58). INGOs and the IHROs have given some insights in gender issues in post-conflict Acholiland, arguing that gender segregation in a patrilineal *kaka* system is damaging to women. Girling (1960) and others, however, have mentioned how *dar ker,* the wife of *rwot moo* was a significant "commandant-in-chief", signing off clan warriors in wars of social justice for their societies. There were grandmothers, the *dayo,* who were acclaimed contemporary professors of indigenous knowledge, healers and specialised mentors of both boys and girls in the village. In Acholi, this viewpoint that elders, like male clubs, made decisions that governed the clans, are also contestable (see: Girling (1960:31-32)[410]. Political (e.g., tribal wars) and developmental (consociations with others) issues were often mediated by elders – who, building on lived experiences, guided democratic and informed decisions made by the entire society. This approach, however, marginally changed following colonial rule. This is because colonialism and coloniality encouraged patrilineal leaders to lead by example. That the women wielded "hidden and coercive and non-coercive powers" behind the scene might have been true in the past. Women apparently believed in patrilineal orientation because they benefitted from it. However, based on my knowledge of the system and the discussions held, they

[410] It is evident that elders merely would give the maxims handed down from the past, as possibilities for influencing decisions of the society.

were also the change agents that every *dye-kal* experienced in their lineage growth, working through their children, especially influential ones.

Being a mother in Acholiland has been tough because of its context. Historically, Acholiland is sparsely populated and with homestead dotted all over the area. Services are hardly available and women have to trek several miles looking for firewood, water and foodstuff. With two rainy seasons accounting for roughly nine of the twelve months, women are pretty much occupied throughout the year as most agronomic practices involved them. While specialisation based on gender made sense in the past, it worked because the social-political system of kinship filled the void whenever one of the partners passed on. This, however, has significantly changed. As such, more households according to my assessment, are now female-headed, even in the rural areas, and women have to take what were previously "men's decisions and roles".

The Acholi households are increasingly of mixed ethnicity particularly in the urban areas and the education status of the women married into it has since advanced. However, the trend seems to point to the view that consistently, with or without education, women have taken front stage in community governance. While the patrilineal orientations of the Acholi households are still in vogue, the content and actions that steered the system in the past have continued to change since the 1960s[411]. Women as lead or co-governing actors of both households and the community have come in force, demonstrating their viewpoints of the future that is clearly renegotiated with their full participation.

The NRM has contributed significantly to women's empowerment through targeted interventions as well as through positive reinforcement of women's ambitions[412]. Inevitably, in Acholiland where female-headed households constitute some thirty per cent of the households, woman's autonomy to decide for themselves is not a demand but an inevitable scenario (UBOS, 2008). This has created a salient stir in the debate about lineage-based politics. A good example of this is seen in the debate about land administration, especially under the customs that

[411] Some of the attributes for patrilineal orientation include patrilocal marriages of women to men in which the men pay bride price.

[412] Juliana Obika, a PhD student from Gulu University is currently researching on women and land in Acholiland, and she has been very emphatic about how women see the NRM government as their key allies in development.

have also changed. Most efforts to feed households have increasingly shifted to women. No one, man or woman, owned customary lands. Rather, they both had access rights to use land and in part, to administered it for their own and the entire community's benefits. Access was based on such strong relationship and women had more advance access rights to customary land compared to men because of their societal network, first as a wife to the clan but also as the main user and with extended link within the society[413]. However, because they were putative clan members, their rights to communal land were limited until they were fully "grounded" in the customs, when they became *mego*[414].

The shifting politics of customary marriages

Women's historical trajectories have been influenced by patrilineal orientations of community governance in Acholiland as stated above. The colonial perspectives of women and men have further supported this traditional orientation. Most respondents agree that gender issues during pre-colonial and colonial era merely emphasised women specialization, their responsibilities and significance at the community level. As such, inequality at the household levels, where men as heads of households saw women as stock of wealth or property has been challenged in modern times. In this context, it made sense that most fathers in the past valued larger households because the more sons in a hunting field meant a higher probability of getting meat on the plates. However, the history of poverty in Acholi and the status one earned as a married person contradict the negative generalisation galvanised in the debate that women were inferior in Acholi's patrilineal organisations (see: Girling, 1960:29-31) [415].

The majority of Acholi households in the past, it was narrated, could not easily afford to marry women for their sons - a practice that would guarantee on one hand, the pater, the jural of *won* as a father and on the other hand, the manhood

[413] My mother told me how she had several *okang* (a fallow plot that was evident of one's user right) in Pakiri because a couple of the heads of households knew her father as a friend. They would give her land to till and in some instances my grandfather was surprised how she was able to do that easily with some of his peers.

[414] An on-going research work that I am carrying in Acholiland under TrustLand project funded by Danida.

[415] Girling (1960) gave a case study of a young man from a poor household of the *lubong* agnates in despair to get a wife in order to gain adulthood. His reaching out to create relationships that could fulfil his desire was the epitome of his determination in liberating himself.

and maturity of the son (Girling, 1960: 29-31). Partly, women were very dear because they were highly priced as having one symbolised in the context of Acholi custom, maturity and responsibility. These two issues – manhood and maturity – obligated the father and his kinsmen, on one hand, to extend their fiduciary roles to the boy, and on the other hand, for the young man and his mother, to demand their rights and entitlements of being part of the kinship. As such, it was a form of negotiation between the two groups that signalled on one hand, the commitment of the father and by extension, that of the clan, to obligate to marriage that enthroned rights of being a member. This signalled collective recognition of a boy or a girl maturing into responsibility but also that of the clan to deliver on their entitlements. On another hand, it showed how a system ridiculed by lack of material goods, struggled to place individual entitlements along kinship scale that can do or break households.

Customary marriages certainly had economic motivations but economics was not the force behind it (see: Driberg, 1932). Girls as daughters would be married off and their dowry in return would be used by the "sons of the soil" to bring forth women as wives. Acholi marriages in the 1940s all through to 1960s were considered the domain and responsibilities of the clan system rather than the family. Acholi marriage today, however, is that of families and friends rather than clans. In an economy characterised by poverty, this exchange was welcomed, as it became a relief in meeting clans-pater obligations to justify a maturity of one of them. So, girls were economic wealth in that sense. Their existence in a household was to a father who had many sons, a guarantee that his pater obligation and duty were assured. It also meant that the girls were watched and seen to remain valuable to suitors.

Customary marriages were distinct from sales of girls or even their being bartered for that matter. Rather, it was a legitimate contract between the clans that provided for the filiation of the children and their lawful inheritance of the patrilineal culture (see: Driberg, 1932). But it was also a declaration of maturity to the couple - graduating into *lutela* as a domain. Progressively and with influences from other cultures, it has embraced additional social values. Today, marriage has significantly changed as the meaning has also seemly taken a different expression. At most, it is an exchange strictly for the individual and possibly their respective immediate families. It therefore means that the kinship attachment to marriage holds no more as individual wills and interests have become predominant.

The familial system became conspicuously dominant in the 1980s with the clan more in support and performing rituals around the few remaining communal customs, such as funerals. Progressively, we have seen the practice of marriage taken away into Churches and Mosques, with friends and workmates conspicuously replacing the *wadi obeno*. As such, it has moved away from the traditional vivacity of social bargaining that was clan-based, with *kaka's* indulgence into collective debts and the defalcation as a responsibility to one of its members, an act that was outside commercial deals but one that expressed the right and the ritual of motivating actions.

The Triumph Of Lies…

Acholi's historical trajectory has been woven with sufferings. Peace has eluded the Acholi of Uganda since its creation as a political community, that is, if peace is congruent with what their forefathers framed as they tracked southwards from Bahr-El-Ghazal in the Sudan, in search of it (Crazzolara, 1954). The Acholi's past ills are linked and are so connected with events of the twenty first century. The facts are similar in terms of purposes, processes and outcomes. The nineteenth century showed the *aconya* - the Arabs and later the British – use trade and commerce to transform Acholi into a subject, denying its organic evolutionary path of change, which had previously taken a path for equity and the democratic existence of lineage groups. These induced institutional reforms failed to effectively create what the western world sees as "a modern society", that is, a society that is a subject of the state. Rather, the elders argued that to the contrary, the state became a patrimonial system symbolising a form of "civilisation" that was immoral.

While Acholi's "original" pre-colonial political structures were not ideal, they were innovative and structured to deal with the political content of the time – including peace building among the kaka settings. However, from experiences thus far reported, they were equally insufficient to sustain the desired regional peace in the territory. The absence of a central authority, not necessarily bureaucratic, to act decisively on agreed agendas of the consociation was absent. *Kaka*, it appears, remained a form of brotherhood relationship that encouraged bilateral dialogue rather than multilateral forms of intercourse beyond the polity. Subsequently, the options used in the transformation of its governance were driven from the top, based

on external agendas. As Meijs (1997) observed, what would be desirable for Acholiland was a model that exploited the opportunities that had emerged from both interference and interplay as the dominant modes of inter and intra- agnatic governance. The potentials of this are clearly in the limits of what *autopoiesis* can contribute to multilateral governance.

The indirect rules were more profound as they created new governing institutions instead of strengthening existing ones. This reform ignored the *kaka* model of governance and the critical lessons that the *kaka* system accumulated for over three hundred years (Girling, 1960:195-199). This action set the precedence, as all other continuing efforts by the different regimes to right this have been to the contrary aligned to global pressure, which continues to suggest that authoritative state structures have the solution for community governance.

New associations, new ideas

Kaka as a governing instrument now exists out of new alliances imposed by the markets and formal laws, and it includes relying on donors, the hands of the Local Governments and the civil societies, with the State as its referee. The content of these new alliances are different: it varies from partnerships to subject-ruler forms and are often formal in nature. The context of the new *kaka*, however, is creating unease in the society in many instances. First, the new design of the governing structures at the primary level, the *dog odi* levels, has changed significantly (UBOS, 2004). This change has significant implications for the "traditional" structure of the Acholi society. *Dog odi* in the "traditional" Acholi were composed of *won ot* as head of the household, and his *dako* (*mon* for plural) and *litino* or the children. Following particularly the LRA insurgency, the content as well as the configurations of households have changed. The pater, as head, has changed and there are more children and female-headed households compared to the past. The numbers of child and female-headed households have rocketed from a mere two per cent in the 1970s to recent figure of thirty per cent in 2010 (e.g., Bjorkhaug *et al.*, 2007, CSOPNU and Lemu, 2004:51)[416]. Hence, the emphasis of the new *kaka* has shifted

[416]Regarding the recent statistic on female-headed household, see Civil Society Organisations for Peace in Northern Uganda (CSOPNU) and Land Equity Movement in Uganda (LEMU), December 2004:51). This estimates of 30% of households being female-headed should be compared with similar findings in the Northern Uganda

significantly from families to targeting children and the women, apparently delineating the men from the new arrangement. This apparent move, to dislodge both patrilineal authority and the leadership of men, much as might have some relief in some form, undermines peaceful recovery in the long run.

It seems that vulnerable societies are prone to abuse by those who claim to support or work for them. This is especially so with the Acholi, where believing in those who have come to fill the void created by *kaka*, might have gone too far. Acholi's experiences with outsiders have often been cordial although not mutual. The Acholi had exceptional relationships with the churches, for instance. On her part, she offered her soul, land and her children to be nurtured by the church. In return, she received new names and whatever else the church felt were right, which often ignored Acholi's indigenous knowledge. Acholi's culture was modelled through relationships but also through the use of force. According to an elder, it has shunned forceful habits as a means to changing culture. Even today, there are more Acholi children and places named after the Italian priests or the Bible than the Koran. The elder observed that the Nubians and the Arab speakers created a situation that dehumanised them before the Acholi. As such, even under the eight years of Amin's forceful rule, Islam never took any root in Acholiland like it did in some parts of Uganda.

Concluding Remarks

It can be deduced from these analyses that institutional change in Acholiland was mainly induced but as well, was inevitable in some circumstances. Thee change resulted into new practices that are both forward and backward looking. The state – with the help of CSOs - enacted some policies and laws that promoted forward-looking practices that include gender and women rights in governance. This has moved the women into the centre of national dialogue, making Uganda one of the strong allies for global developments. Most of these

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Livelihood Study which found that 24% of households in the Acholi land were female headed (n = 2,575); as published in the 2007 report entitled Returning to Uncertainty: Addressing Vulnerabilities in Northern Uganda (Ingunn Bjorkhaug *et al.,* Kampala, Uganda: UNDP, 2007)

positive changes came about in the last fifteen years or so in Acholiland.

However, there has been significant distortion in governing outcomes including those arising from unchecked innovations that accompanied development funding by foreign INGOs and the like. Arguably, the simplistic view western donors often give to the African culture - as generally backward - is creating some undue consequences. For instance, the weakening of *kaka* governance through subordination killed competitiveness in service delivery between formal, informal and traditional norms, leading to some unwanted and negative governing practices in Acholiland, including the creation of the LRA as a rebel group.

Chapter Eight – Concluding Comments

Synopsis of the Research Findings

In this study, I adopted peace studies as the intellectual frame to historicize changes in community governance practices in Acholiland by comparing contemporary governance systems with historical and contemporary *kaka* praxis. My objectives were broadly three, to: a) explore the modes, quality and extent of community governance from 1898 to 2010; b) examine changes in the principles of *kaka* governance under the different political regimes that governed Uganda; and c) identify noticeable practices that resulted from mixes of governing interactions. Specifically, this study is guided by the following questions:

a) What have been the impact of change in the quality of community leaders and ii) how do Acholi now conceptualise community governance?

b) What has been the nature of change observed in *kaka* as community governance system, and (ii) what factors account for the changes?

c) What have been the key changes in community governance practices? And,

d) Why and how has violence remained a significant factor in Acholiland over the years?

Why peace studies?

Peace studies, as a field of inquiry is problem-driven and as such, is appropriate for examining a real world situation exhibited in the case of Acholiland[417]. It is also interdisciplinary – allowing the integration of insights from a number of disciplines in giving new meaning to the political and governing events that I have explored from 1898 to 2010. This study attempted to interpret data from different social sciences (political science, anthropology, sociology and psychology), humanities (history, laws, linguistics and poetry) and professional fields

[417] In the study, I have emphasised that Acholiland is a fragile situation and it requires a mix of interactions, to enable the different social groups participate.

(geography) to openly interrogate the key phenomena of community governance and violence that have been associated with Acholiland over these years.

Overview of change outcomes in community governance

Institutional change outcomes, I submitted, are the governing precedence established or, governing practices introduced and/or the governing habits exhibited as a result of governing reforms[418]. I have argued that since the creation of Acholiland in the 1890s, new governing habits and behaviours came into practice - some of them reinforcing to the moral governing habits of the indigenous system. Some of the effects of changes, however, escalated the weaknesses of the indigenous model and even transformed the human economic aspects of the patrilenal system to right-based and competitive system that wrongly emphasised individualism with a distorted context. These changes, I maintained, have been a result of both internal and external logic.

I began by exploring in chapter two recent and popular concepts and practices in community governance. The purpose was to situate *kaka's* governing realm within these governing practices discussed in the literature. My conclusions, especially with respect to this study were that: i) there are different modes of power grids and political authorities practiced that negatively or positively influence governing interactions; ii) that the two common and competing modes of community governance widely practiced are heterarchy (example, *kaka*) and hierarchy as exhibited in the modern LG. For some reasons discussed in chapter two, hierarchal mode of governance - commonly associated with the habit of controlling others - is a predominant practice in modern times and has been forced to change *kaka* governance rather than to improve it.

Kaka a manifestation of a heteroarchial-governing realm was a practice in which two or more "like-minded" polities - not necessarily related – consociated with one of them, by virtue of their longitivity and therefore, tested leadership, staked as the nucleus but not paramount, to lead – which is *tela*. *Kaka,* therefore*,* featured a situation of diffused and decentralised power with the different agnates, as the

[418] Under *kaka* governing system, we observed that some of the presidence set by *rwodi moo* and *ludito kaka* was the decentralised and autonomy of the governing structures. LG on the other hand, was a delegated authority of the state and complete contradiction of the *kaka* system.

communal governance system, relating to the core agnates (*luker*) and to the other non-core (*lwak*) in what I termed as a culture of "facultative mutualism".

This culture manifested an interactive management economy with sets of homologous governing structures – *dog ot, dye-kal* and *dog gang* - increasingly interrelating in a more reinforcing manner within a given consociation. Typically, *kaka* had three levels of ethnic identity: First, *dye-kal,* which was a corporate governing level inclined to a *kac* shrine. A collection of them formed the communal or *gang* governing level that recognised an *abila* shrine. Each of the governing levels honoured cognitive but also normative leadership and they were free to shift their allegiance at the *kaka* level, based on prevalent governing incentives of the core agnates. It was, thus, not about the size and/or numbers of warriors a given polity could contribute to the pool. Rather, it was about how they valued and trusted the relationship with the core agnate within the consociation.

The legitimacy of *kaka* as a consociation, rested in the qualitative value and the morality of the prevailing governaning interactions. In principle, each participating polity in the consociation - the *gang* as agnates – was valued based on its "carrying capacities", "competitive and comparative advantages". In a sense, *kaka* – which was wrongly framed by others as chiefdom - was about intimate patriarchal governance. However, this nuance and context driven governing principles were reshuffled partly by greed associated with globalisation but also, because of its internal shortcomings. By the turn of 1950s, this heteroarchial system was inappropriately sucked into a foreign model that was more authoritative and centralised.

Parameters and perimeters of change outcomes

This institutional change outcome was analysed in chapters five to seven along three key parameters: Firstly, the *governing image* – which symbolically revealed the perceptions of actors regarding the inchoate practices of community leadership and how governing structures mediated governing interactions in the entire system. Key in the observed change was in *autopoiesis* – that is, how communal governing forums - the *gangi* establishments – and those feeding into it – the *dog odi* and *dye-kal* – contested the rights to continuing celebrations of their *kac* and *abila* shrines, and also to pursue undisrupted growth of kinship lineage. In other words, governing structures persistence on consent in legitimising political powers.

The second parameter, the *governing instrument* – examined the governing mechanisms (social rules and policies) and how new ones – whether as singular or in combination with the old - manipulated social and political contracts. The shift in the "rules of the game" that governed transition from diffused power in *kaka* to a centralised mode of governance under Local Government was linked to the history of violence in Acholiland. Lastly, is the *governing action* - that is, examining and/or determining the levels of embeddedness of all the participating governing actors in the Acholi context and issues. In line with this, I have examined the extent to which change over the years influenced the way *ludito* and their analogues as political agents interrogated political outcomes in governance.

Recounting changes in the parameters of local governance

Changing leadership and political structures

Regarding the *governing image* of the Acholi as a system, the general conclusions are that: the governing principles (entrustment, facultative mutualism, etc.) that underpinned the articulation of the governing structures (*dog ot, dye kal, gang and kaka madit),* kinship principles and the consociation trusts, were variously and systematically reshuffled under legal provisions during colonial (1896 to 1962) and coloniality (1962 to 2010). The consequences of such change have been quite traumatising to the traditional society (1896 to 1962) and quite awakening for the postcolonial era as exemplified during the NRM regime as further articulated in the earlier chapters. Political authorities also increasingly became more distinct for purposes of exploitation, manipulation and control. By 1962, there was an established and trifurcated power base in Acholiland. One base supported local exploitation using centralised planning (district local authority). Then, there was a force rallying the Acholi political community for integration in a new Uganda state (Legislators and MPs). The third were the *rwodi moo, the* spend forces of traditions that were gathering dusts of modernisation. The attempt by the state to centralise authorities also deligitimised *kaka*, transformed its heterarchy to hierarchy. However, this change did not lead to the creation of strong men within the traditional system as evident by the continuing absence of an Acholi dictator within the traditional system to bring an end to community-led insurgencies. And Dwyer (1972) was right that even with their military might, the colonial authority did not conquer Acholiland. It, however, subdued it, weaken its bridges and logic for the NRM to conquer it by extended social tortures by 2010.

The assault on the image of *kaka* began all along in the early 1914 when local authority and the state government reshuffled *kaka's* traditional mandates in human economic development. At independence in 1962, *kaka* was found to be ineffective in most of its core governing activities, including provision of human security discussed in chapter four. At the communal governing *gang* levels and below for instance, *ludito kaka* became pathways for conflicting cultures that pitched tradition, modernity and reality in a cocktail of confusion. On one hand, *ludito kaka* conveniently represented the fading tradition, imagining the abila as source of knowledge in community governance. On another hand, they became increasingly disconnected from the society and acted as agents of the modern system - paid to transform the governing habits of the old system. Their accountability was changed from people to *rwodi kalam*, who were rulers and agents of the state and thus less attached to the local.

The rules of the game

In terms of *governing instruments*, *kaka* was a non-partisan governing arrangement that was largely informal to the extent possible even when its social rules that were largely self-enforcing, habitual and widely tested and practiced prescribed some guidelines that demanded certain conducts and class of actions. Unlike state laws, customs and norms were gender biased and were practiced widely because they were instruments of advancing patrilineal orders in the society and people were knowledgeable about them. Formal rules, on the other hand, had limited engagement with the entire Acholi society and therefore, were alien and needed to be enforced by the new leaders. This trend has not changed much by 2010 because unlike customs, laws are enacted by the state to create orders that do not necessarily respond to the context of the locals. Laws had large measures of imported, decentralised despotism that manipulated Acholi customs, creating some inconsistencies and contradictions in use for local governance. This change created significant sources of conflicts, some of which became violent. Lamogi rebellion of 1911 was one such response to centralised ideas, to a social group that abhorred forced justice. In the 1960s, the creation of numerous group farms and two large cattle ranches in Acholiland testify how dialogue based on legitimacy supported the state to introduced new developments in traditional communities.

In terms of periodization, pluralism in institutional arrangement offered options for shopping by communities for justice – largely based on acceptability.

And, as such, this helped to weaken *cik kaka* (social rules) because the formal laws were seen as superior and legitimate. It created disillusion in the roles of some local institutions particularly when coloniality embraced and continued with centralised forms of governance. For instance, local structures: aunties (*wayo),* uncles (*nero)* and grand parents (*kwaro/dayo)* with significant social roles and responsibilities increasingly became irrelevant as social structures that mediated value systems especially as the state penetrated the rural zone through education. With the promotion of universal primary education in the 2000, these traditional systems have almost been fully replaced by modern institutions by 2010.

In terms of *governing action*, which is the quality of interactions between the actors and the society in the context of the region, it was concluded that key changes observed in governing actions was in the introduction of hierarchical decisions making based on a defined vision that was developed from above. This created a form of relationship between traditional and modern system in which the former became a medium of misrules of the society by the state. Power became more significant in governance instead of political legitimacy.

What has been the impact of change

Institutional impact of change

The impacts of the change were discussed under the three parameters above. Noticeably, Acholi's governing image was reshuffled along two dimesions. First, the cognitive quality of traditional leaders: their aspiration to resolve conflicts through restorative and transformative approaches were progressively replaced under the new systems by emphasising normative values system, often mediated by the courts of law. The new system demanded aggressive and modern education, submission to foreign languages, laws and social categorisation. This led to a re-conceptualisation of local leaders. In one typical case, the new concept delineated from practice the core values and roles of mothers and women in the traditional society as discussed in chapters four to six. Secondly, the homologous *kaka* governing structures lost their traditional matrice arrangements to authoritarian models. This began a new dawn of repressive governing interactions and inter-relationships within the entire system. The impact of these changes in practices, as discussed before, has been the substitution of legitimacy with political authority as a

significant governing variable. Acholi's new image, hereafter, was confusing because it became a blend of both worlds: new and the old!

The new "rules of the game", on the other hand, was fixed in legal terms and enforced by external agencies that were accountable to the state. It did not work, however, exactly like that. Increasingly, the philosophy of restorative justice as discussed in chapter six and seven was traded for criminal justice. The thing about courts of law as footprints of colonial justice system is the appetite for punitive measures. Police and other law enforcement became the "dogs of war", the *ogwang guji* cracking on law defaulters with legendary impunity! As it is, the state and its analogues have changed the meaning of local participation compared to what had been negotiated under *kaka* system. By 2010, community participation as used by NGOs and LGs was, foremost, used to solicit their physical involvement in recovery process. The general notion of governmental and NGOs supports as noticed in the earlier chapters have been that development in Acholiland required external thinking and inputs, to make noticeable changes because what are indigenous are characters of backwardness, including the land tenure regime. As a result, new structures of governance have been established more or less in tandem with what the colonial authorities did, and some of them – like the LC systems - are not effectively in used by 2010 because their focus and mandates are distorted.

The nature of change introduced

It is, however, important to acknowledge that colonial authority brought about "a fundamental change" in community governance. First, it created a political territory called Acholiland, which increasingly has been further re-divided and by 2010, there were six political administrative units bearing foremost, an imposed Acholi identity invented through legal framework. This framework coarsed the once difficult and sometimes opposing *kaka* into a meso level of ethnic identity within the Uganda state by 2010. Acholi identity and political belonging surged by the late 1950s to 1962 events was aligned to Luo as a universal and regional base. This, we show, supported development in the early part of independence as it enabled ethnic negotiation of a new political alliance and identity within the Uganda state. This identity, however, became a liability in the last 30 years of the NRM rule.

Increasingly, NRM has plugged a discourse in identity and more and more people in Acholiland look to being seen as Ugandan rather than Luo. This induced

shift to identify with the Uganda state has delegitimised what previously existed in the form of *kaka,* resonating with the long-term vision of the neoliberals. Subsequently, by 2010 Acholi political identify remains tangled in violence, poverty and backwardness and the new generation that came back from the IDP camps have limited attachment to kinship, as they did not and have never benefited from its supportive instruments.

The shift from *kaka* to LGs has also restructured governing interactions among the once equal polities. In addition, it created new brands of leaders identified by their endowment in foreign credentials like: - academic achievements in renowned colonial educational systems and political orientations. Centralisation of power under the new system also has reinforced and realigned the role of an individual in an Acholi society as discussed in chapter four. Today, an Acholi is a subject of the state and by 2010; the state had begun to consider social protection for both the young and the old. Under the *kaka* system*,* an Acholi child had three very significant social attachments: the first was to the father's clan – where a child is deemed to belong. Secondly, *rwot moo* - as a political leader of the entire consociation, *kaka.* And, finally, to his mother's brothers called *nero*, who were more or less the alternate father.

Conversely, the new generation sees "self" as the whole and they feel obligated only to the formal system and network of friends while in the case of *kaka,* they argue, it is an outdated and competing inheritor of their political achievements. This emerging perspective has bred inter-generational mistrusts in Acholiland as much as it has also reinforced social bridges beyond the clan's systems by downplaying the meanings of fiduciary roles of local groups and local practices. Noticeably, these traditional ties and old practices have not evidently supported the youth during the LRA insurgency. It was not wilfully performed by the clan system as the traditional system was under sieged by the same insurgency. Nevertheless, it showed how *kaka* competence needed to embrace the concept of imagined communities.

Conceptual view of local leaders

Chapter seven explored *tela*, an Acholi word for leadership. It concluded that *rwodi* as headmen of *kaka* consociations were respected and valued because they were providers: trustworthy, kind and reinforcing to their followers who were

mainly poor households, including the *lubong* – who were literally vagrant. These leadership qualities legitimised *rwodi* and *ludito kaka* - who generally were responsive not reactive to social problems and governing issues. This was facilitating and empowering particularly to *dog odi* and *dog gola* or *dye-kal*. However, leadership at the meso and micro-levels, corresponding to the communal and corporate levels, manifested a hierarchical model in which senior leaders coach non-leaders – epitomising some forms of resilience, obedience, compliance and respect of age-old authorities.

What changed? The new model is based on "hard authorities" inscribed in the laws of the state and emphasising normative rather than cognitive quality of leadership that are enforceable by the institutions of law. While at the *dog odi* and *dog gola* levels, *wegi odi* - the husbands and pater as traditional leaders have remained largely inserted within the community space, living as part of the society – their roles – which are largely in reaction to higher levels priorities, have qualitatively reduced their relevance, except in areas of governance where the state has scored positively, like in promoting security and gender sensitivity. Thus, increasingly, politics since the 1900s, have entrenched authority rather than legitimacy of the pseudo informal and the formal leaders as a system at the expense of local relevance – which includes, nurturing the growth of local peace and connectedness. This has seriously influenced the way people conceptualise leadership in Acholiland. Surprisingly, in chapter six, respondents from Acholi comprehend leaders as benevolent agents of governments. Noticeably, political violence, governing environment, natural factors among other things – as explained in chapter seven - exasperated change in how community governance has been implemented.

Violence as a historical trajectory

Secondly, we can discern from the earlier chapters that colonialism and "coloniality" symbolised social domination – manifesting marked and persistent human displacement and the associated cultural humiliation, economic isolation and social tortures, especially for groups perceived as deviant to central authorities. While Acholi's culture is dynamic, we sense that even as it is, it contests extreme authority in favour of more collaborative forms of governance. Violence, as we see it, has been institutionalised in modernity as a mechanism to enforce compliance and it takes several shapes, generally agreed as social tortures. This was evidently

high during colonial era but also during the 1970s military government and the late 1980s to-date.

The prolonged effects of the recent war have eroded the aspects of Acholi's internal cohesion, which are most desirable for regulating political interactions with the outside world. The extent of this distortion, I argue, has been profound. In the last thirty years, the NRM has embraced a "rights-based morality" approach - which advocates for a focus on the individual, and has failed to recognize the intrinsic value of collective goods in a fragile situation like Acholi[419]. In contesting this transition, Acholi culture have continued to face military enforcement, to comply with the new norms.

I have also concluded that scholars misinterpreted the original logic of moralistic violence, when they observed the prevalence of violence within Acholiland during pre-colonial era. Generally speaking, the landscape of violence – whether predatory or moralistic - was visible, underlying the shifting grounds in community governance. Most noticeably, the entire seventy years of colonialism was marked by violations that shaped Acholi as a political community but also created a kinetic form of *lutela* that redefined Acholi's political landscape after independence. The postcolonial era, was equally and violently repressive. The violence was at its most extreme during the NRM regime, from 1986 to 2010. The emergence of the LRA demonstrates the weakness in both local and national institutions. The price of these mistakes still looms in Acholiland and is likely to remain visible for a very long time[420]. Events related to the period of the LRA insurgency demonstrated the extent of "limited statehood" in Acholiland[421].

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[419] The Vision 2040 that reflects the ideology of the NRM as noted earlier would like to see Uganda progress through private sector-led growth. The social preparation for such strategy is missing and particularly for post conflict situation, this signals disaster. Since 2006, government has not made efforts to ensure that effective resettlement of the Acholi to claim back their past glory is supported under central programmes. To the contrary, it has continued to build on the fears of most Acholi by relegating its roles to non-state actors.

[420] See: Finnström, 2008: 226-232 – where under "reconciliation gone bitter" and "so that life can go on" he makes some important points in shaping the true path to bettering the future, which is challenging.

[421] This has been the position of Acholi since the 1990s that violence has been used to suppress it.

Research Contributions to New Knowledge

This research deals with violence and fragility – which are the main causes of the world's continuing insecurity and sufferings. Its central contribution is in furthering an understanding of community governance in fragile situation as a concept and practice. The Acholi case study, therefore, discusses how a condition of "limited statehood" in a fragile situation dovetailed with and impacted on community governing practices over a protracted period. This study advances the viewpoint that in reality governing practices is deeply rooted and is linked to the social fabric of a given society. That these practices are often multifaceted, lived, experienced and are vividly remembered by those that participate in the change processes. In doing so, the study – while appreciative of earlier writings about community governance in Acholiland – strongly challenges the construction and interpretations of the political architecture of the Acholi *macon* by scholars like Atkinson (1999, 2010), Allen (1998) and Grove (1947) and as well, their meanings to local governance.

Engaging with reality as visualised above in the context of conflict or in a situation of social flux, demands more than scholarly claim of objectivity – which in some instances, explains a situation of doubts in one's own understanding and interpretation of local practices. In circumstance of the sort, interpretive knowledge and the meanings of locally lived practices can best be subjected to interdisciplinary and lived experiences. This thesis examines the history of political interactions between opposing governing structures and their link to violence in Acholiland from the late nineteenth century until the present day. The core argument is that both colonial and postcolonial regimes or "coloniality" ignored the appropriateness of *kaka* as governing philosophy and structures in responding to the complex and diverse context of Acholiland, by establishing antagonistic systems that have worked against an increasingly atomised society. The research makes a number of important contributions to foremost, peace studies as a field of enquiry but also to scholarships of community governance: their meanings and interpretations by clarifying the social-political structures of the Acholi *macon* as further discussed below.

Conceptualisation of community governance

The second important contribution is the conceptualisation of community governance. In the study, I have advanced the viewpoint that community governance is a moral obligation and is social-political. This is because a community is a constituency of different groupings or sub-systems - that is social - and with variegated political power - that is political. Each of these categories has special wants, talents and "carrying capacities" and is desirous to live and contribute meaningfully to the overall goal of the whole. The interactional dimension of community governance is therefore a mix of assorted governing efforts that is mediated through institutions of social rules. As a multilateral and multi-layered practice, community governance is guided by these social rules that can constrain as well as facilitate interactive efforts of the individual sub-systems. The moral of governance is in how these rules are developed and operationalized with the ultimate outcome that avoids violence, inequality and marginalisation based on capabilities, belonging or any forms of difference.

I have maintained that community governance is a moral practice, since it seeks to define modernity as pluralistic and not singular, arguing that context – like fragility or conflict situation - is a specific condition that demands a special mix of rules and governing actions. Morality, admittedly is subjective and a difficult concept to debate. However, based on my knowledge and understanding of the Acholi of Uganda and other post-conflict societies, I maintain that governing practices that are interactive, inclusive and supportive can be enduring because they reinforce individual households' efforts to govern themselves and in doing so, make good meaning and redefine the reality of locality and good neighbourliness. The fact that an individual sub-system of the whole would see interaction with others as reinforcing their own, enshrines the moral value and endorsement of modernity as pluralistic and context dependant.

Acholi's social-political structures

Thirdly, this research has contributed to four new interpretations of the practices of community governance in the Acholi of Uganda. It avers that the "traditional" social-political organisations of Acholi *macon* were polycephalous and predominantly relational. *Kaka,* which was a description of intimate relationship between political units all across the governing tiers, guaranteed balance of power

between mutually opposing governing entities, thereby enthralling moral elements in community governance. Based on the evidence reflected in existing terminologies and testimonies of those who lived it, social power, political influence and social status were largely patrilineal and patrilocal but not necessarily patrimonial.

Power was widely distributed, to accommodate the *autopoiesis* attributes of the individual governing structures. This principle of brotherhood as we observed in chapter four, provided opportunities for the growth of strong patrilineal identity and the satisfaction of lineage-based polities. Political legitimacy was understood as normative with *gangi* – the communal level - and *dye-kal* – the corporate level *of* governance wailing pater and jurial power embedded in the authority of the *abila* shrine - to curse and to bless. Beyond these two levels, the legitimacy of political authorities was subjected consents as we show in chapter five. Political consent was, except where *wadi* were involved, evolving in nature and subjected to the performance of *kaka madit* or the higher-level consociation. Political authority was illegitimate, as it would out-turn the authority of *abila* that identified *wadi* as kin.

Thence, hierarchical relationships depicting bureaucratic governance, chiefdoms, as postulated by Atkinson (2010) and others, were not conspicuously evident as also observed by other (see: Girling, 1960:8, 181; Kabwegyere, 1995:63-67). Rather, the presence of social hierarchy with elders as authorities of tradition rather than rulers and stronger *gangi* as the big brothers of weaker ones merely permitted the elders to support one another and "control non-leaders". Elders did not have unilateral control of the governing system, nor claimed to do. Nevertheless, they were the archive of traditional knowledge and would use their lived experience, often relying on *ongon* to influence rational actions of the younger generations.

The manifestation of *autopoiesis,* and therefore the absence of authoritarian governing realms at the *kaka* governing level has been supported by others like Dwyer (1972: 30-32); Branch (2011: 47-48); Bere (1955:50). This suggests that the kinship-based agnates that collectively formed *kaka,* enthroned a form of what I consider as differentiated *facultative mutualisms* – as differentiated brands and forms of community governance. The absence of despotism in the *kaka* structures – that is, the insignificance of hierarchical and predatory regimes – the ephemeral nature of political relationships between the core and non-core-agnates,

the importance of consensual approach to political authority and the absence of economic class, make it difficult to justify that the traditional political arrangement by most accounts, were chiefdoms. At most, the *autopoiesis* trait for self-governance at the *gangi* levels, with the interest of preserving lineage growth and identity and the arrangement of co-management under multiple villages, have significantly shown stronger evidence of the *kaka* political image. This assertion constitute new knowledge of how the Acholi social-political institutions have evolved and worked and later violently transformed by autocratic interaction with the state over the last 100 years. As such, it provides valuable addition to the literature on governance on how "stateless" societies conceptualise governments and governance.

Indirect rule were more direct in Acholi[422]

Furthermore, this study has challenged the notion that the sixty fours years of British rule in Acholiland should be categorised as "indirect rule". This is because the features of the said indirect rule are very similar to the direct rules practiced in the present Uganda. Conversely, as some scholars like Gerring, *et al* (2011:377-433) do admit, there are commonalities across these various typologies of governance relationships. In justifying a form of direct rule in the case of Acholiland, I have reflected on the degree of central control that was instituted by colonialism - something that was strange in the case of *kaka* governance as governing level for collective kin groups.

The key concept to understand is the system of the typologies of these rules along a continuum that reflects a degree of control by the principal. This is particularly so in the case of a fully decentralised governance system of *kaka* Acholi, where, as we have seen, the constituencies of *gangi* agnates held the majority of the governing activities. Theoretically, direct rule features highly centralised decision making while indirect rule features a more decentralised frame, allowing important decision-making power at the periphery.

Indirect rules might have applied in the context of Uganda state, where power was decentralised to the different tribal units. However, in the case of Acholi as one of such tribal unit, indirect rules would have typically allowed the

[422] The analysis of indirect rule in Acholiland was informed by the work of Kennedy, 2013,

"independent" ethnic blocks, *gangi* agnates continued with lineage development, a decision that would have conformed to the existing *kaka* mode of governance. But this was not the case as we show in Chapter Three and Five.

The indirect form of rule could not be instituted within the new Acholi political setting because first and foremost, it lacked the despotic leaders - the form of state-ness that was considered desirable for a predatory form of governance that was desired by the colonialists (see also: Gerring et al., 2011:382; Iliffe, 1979; Thompson, 2003: 9-39). The principal-agency relationship in a despotic system is concerned with hierarchy verses markets or organisations verses contracts. Thus, for indirect rule, the various *kaka* that littered the old Acholiland would have been subordinated to the state - each expected to have the capacity to serve as a despotic agent of the colonial authority, a function that Branch (2011:49) indicated most *rwodi* Acholi could not imagine.

By subordinating to the new Uganda state, *kaka's* political legitimacy would have been compromised as this implied that these patrilineal organisations would be subjected to the authority of a non-Acholi and a woman at that - who was the Queen of England. From unwritten narratives, I was made to understand that when Major Delme-Redcliffe in 1889 informed *rwodi* Acholi that he was a representative of the Queen of England, *rwodi* unanimously requested him to bring along the Queen who was their peers for a meeting because Delme-Redcliffe was a mere "*oteka lweny*" and with no blessed authority on matters of governance[423].

The colonialists had, therefore, to create new and despotic political authority based on the model from Buganda. It necessitated first delegitimising the political authorities of the different *kaka* entities into a legitimate political society, the Acholi under the new Acholi District Administration. Then the colonialists appointed "outsiders" to directly govern the Acholi as a colonial society. These governors had no traditional legitimacy whatsoever and shamelessly, ruled the new outfit in a more

[423] "*Oteka lweny*" were war hero and had no unique quality other than in war. This was recorded in my meeting with Charles Alai in a meeting I held with him in Roma hotel in Gulu town in 1998. Charles Alai was one of the earlier administrators in the first UPC government and quite knowledgeable of theAcholi history. Infact in 2006, retired Col. Walter Ochora told me that Alai used a colonial map of Uganda, to inform and conclude contestation around district borders between two contemporaries: the Acholi and the Alur elders in the presence of Apollo Nsibambi, the Uganda Prime Minister. According to Walter Ochora, Charles Alai after presenting the map was unchallenged and the case was concluded.

obsequious fashion. They followed the commands of the British principal agents, the District Commissioners, who were appointees of the colonial authorities. As Gerrling *et al.* (2011:382) admitted, "This was indirect rule in name only."

Then there was additionally, the issue of political order, which was a prerequisite for the claim of sovereignty. In order to claim sovereignty over the Acholi, the British had to institutionalise coercive power and political legitimacy. In other words, its governing machineries lacked consent, which was the dominant feature of *kaka* governing authority. By reshuffling *kaka's* governance system through amalgamation of the governing different structures, colonialism evidently went beyond the principles of indirect rule. It led to greater confusion and unrest with more open opposition, which forced the British colonial authority to resort to the use of force. The undisguised power of coerciveness failed the establishment of an enduring system of rule, something which indirect rule would have preserved by benefiting from pre-existing political institutions[424].

Furthermore, indirect rule is supposedly a negotiated settlement in which local leaders actively participated. In the case of Acholiland, Dwyer (1972:10-11) for instance contends that it was a political manipulation structured around the vulnerability of the Acholi people to both external and internal logic. Girling (1960: Chapter 9), however, contends that externally, the Acholi had mounting threats resulting from globalisation that was fuelled by commerce and trade. Hence, anyone who could guarantee stability and order in Acholiland would make a good brother. *Rwodi* Acholi were made to believe that the British would. Internally, as demonstrated by *Rwot* Camo's initiatives, the demand for large numbers as political power was inducing political change towards the likes of Bunyoro Kingdom.

By 1898, Major MacDonald, according to Gertzel (1974:57), had initiated the first treaties with *rwodi* in Acholi, which had a mixed effect. The treaties, according to Gertzel (1974:57), were misunderstood by *rwodi* and later this became a point of contention when it turned out that by signing it, *rwodi* had forfeited a big part of their traditional authorities to foreigners. According to Bere (1947:8), when Major Delme-Redcliffe started the identification of *rwodi* for indirect rule in 1889, it was evident that bargaining with these *rwodi* would be difficult and he felt that

[424] Fisher, 1991: Chapter 1.

powerful *rwodi* like Rwot Awich had to be arrested. As a result, the British adopted patrimonialism as a form of political authority and began to co-opt leaders instead of bargaining with them. In effect, *kaka* Payiira, Lamogi and Labongo, which were outright rebellious were reshuffled during colonialism into new administrative systems, to reduce the powers of their *rwodi* and to humiliate their charismatic *rwodi*. This is how land, boundaries and spaces were redrawn and later used to control natives, something that legal anthropologists have consistently advanced (see for instance Von Benda-Beckmann, et al., 2009: Location 318).

It was certainly evident that a direct form of rule was applied and it was highly centralised at the district level with the District Commissioner as political principal. This creation dealt a sizable blow to *ludito kaka* and *rwodi* who had to confront it, as was the case with Rwot Awich of Payiira in 1902 and Rwot Onung Ting Traa of *kaka* Lamogi in 1911. As a matter of fact, the outcome for a number of these *rwodi* was, according to oral history, severe marginalisation of their people. Consequently, by the later part of colonialism, Acholiland had a trifurcation of authority. Two of these authorities: the Acholi Local Government – which included the parishes, divisions, counties and the district – and the constituencies of *rwodi* Acholi under the newly created *lawii rwodi* or paramount chief, represented two distinct mechanisms of local governance. The former, however, was governed under customary laws while in the case of the latter *kaka* rules prevailed. The third pillar, I would argue, were the members of parliament from Acholiland, who provided the link between Acholiland as a political territory to the new Uganda state in the articulation of its role and interests in the new, governing system. I have referred to the latter group as *lugok paco* because of what their roles provided. *Lugwok paco* were governed by state laws, which increasingly were applied to inform the customary laws.

Finally, I have argued that political violence in Acholiland has been used as a "qualitative form of governance" and with time, this spiralled into derivative form of violence. This is because political violence was applied as governing action in transforming the Acholi into subjects – something that we have learned that the Acholi consistently contested. This assertion is distinct from earlier analyses that were limited in terms of ethnographic and historical depths and have emphasised violence as habitual to the Acholi internal logic. Derivative violence, as Mamdani (2002) asserts, comes from the view that self-governance often makes external

governance difficult especially when it is aimed at controlling the local. In a situation where governing interactions, either by design or by subjective choice, are mediated by social power, as has been in the case of Acholiland, there is a high potential for violence.

This conclusion makes two important points with respect to governance as demonstrated in Acholiland. One is that modern governing actions are normatively constructed with the aim to control rather than empower local actors, like *ludito kaka*. As such, governing actions by the state have undermined indigenous knowledge of brotherhood, disregarded the relevance of local innovations to local context – which I have outlined in the case of Acholiland as multifarious by all means. This departure by the state raised local contestations both as a natural response but also as legally framed under modernity. Secondly, the growth of local endurance by the Acholi people over the years has been framed under what scholars dub as limited statehood. In this situation, the state's functions, or most of them, have been outsourced to other political actors and in the case of Acholiland, the CSOs. Actually, most part of the economic development of Acholiland in the 1950s through to 1970s, were championed in collaboration with the local Churches[425]. This, however, shifted during the LRA wartime of the 1980s until now, to the CSOs and in particular, the faith-based organisations. In all these governing efforts, local leaders found at the grassroots provided significant guidance and therefore have remained the most appreciated form of leaders in Acholiland. Simply, leadership in Acholi are decentralised even to-date. As such, there are very limited incentives for the Acholi to look to the state - which obviously have often been associated with violence, stealing and burning local properties and are undoubtedly, the living enemy of fiduciary culture.

The Gaps in Acholi's Narratives

The scholarly view that foreigners have more credibility to write about African issues, including its history, culture and stories of resistance, has, for a long time, changed the true meaning of what insiders see as an attempt to distort

[425] Although not well research thus far, most of the educated Acholi in the 1940s through to the 1960s had the support of the missionaries. The majority of the male respondents I talked to admitted to this.

qualitative knowledge generation that are premised on local reality. My sense of this practice in the academia is that western scholars claim of impartiality in knowledge generation have led to innovation and interpretation of data on life as new knowledge about Africa based on these foreign point of views. However, this unknowingly or knowingly has distorted the meanings of lived experiences, which scholars from non-western zones tend to have in abundance. Nevertheless, increasing acceptance and reliance on the latter group has surged, to transform and dismantle structures of the existing knowledge. This move has significantly improved the interpretations and meaning of knowledge in the academia.

In the case of Acholi of Uganda, foreign scholars, colonial administrators and recently, sector advisors and NGO workers have mistakenly advanced new perspectives about traditional social-political organisations of the Acholi. In particular, Professor Atkinson has over the years sold the idea of chiefdoms as pre-colonial governance in Acholiland and most practitioners have plumbered into using it without much questioning. This perspective, in my understanding, was used mainly to help compare governance in Acholiland with what was familiar in the eyes of western scholars. This, I imagine, is great scholarship, but one that unfairly imagined that community governance systems have to conform, most of the time to centralised authority. This seems not to be when one reads the case study of the Acholi of Uganda.

Conclusions and Recommendations

The study concludes that violence, as a concept is multifaceted and context mediated, embracing human and non-human factors. Admittedly, violence and especially physical violence, has informed how Acholi community conceptualises leaders and community governance. The majority of my core respondents see governance as governmental, having been subjected to camp lives for close to three decades. They see governance as basically singular, hierarchical, resource-based and not necessarily knowledge-based and one that they are expected to submit to. As such, traditional authorities and especially elders have no place in community governance because they are poor and dependant on others. Additionally, their knowledge base as seen in how the community feels about the restoration of *Ter Kwaro Acholi*, is irrelevant. The majority of them see violence as a governing tool as

demonstrated in the number of reported incidences of domestic violence. They argued that being articulate is provocative and is insubordination, which has been Acholi's primary failure in life.

> **"They [soldiers] say that we [Acholi] like argument even when there are no reasons for it. They think we should rather follow orders without asking questions, even when things are not clear in ones mind. Are we soldiers to follow orders all the time?"**
>
> **Respondent from Pawel in Atiak, March 2006**

The study also concludes that there has been a trend in the base and structure of political power in Acholiland. The study notes that traditional power was mainly based on social status and therefore, was an ideational resource. It was structured around patriarchal and lineage-based systems. Its strength was in restoring social order in the community. As such, it was largely confined to ideational resources, that is, the *hegemonic acculturation* as a practice of leadership through charisma, symbols and deep knowledge of tradition. It never created class based on wealth but one that was categorised based on knowledge of traditions. This gave *rwodi* and *ludito kaka* conditional legitimacy that enabled establishment of orders.

In the 1930s and especially 1950s to 1960s, the traditional basis of power complemented the emerging *lugwok paco*, who were considered the petty *bourgeoisie*. These were individuals who had material resources and knowledge on governance mainly through their employment in Local and Central Governments. With the surge for self-determination, the political elites, who came out of these groups, created ripples of hope as they launched and diversified *hegemonic acculturation* in political mobilisation and reciprocity based on their contribution. The trifurcation of power based in the 1950s and 1960s, although were male dominated, significantly changed the image of Acholi.

The study concludes that since the 1980s and especially during the NRM era, there has been a surge in power and the bases have significantly changed. The powers of material resources – political allies, money, and other tangible things have come afloat. Women as a distinct group have come in wielding both material and ideational resources of power, tilting the patriarchal dominance of the past decades. They are more accommodating to Yoweri Museveni's NRM, but they are also more embedded in the society, with commitments to their party and people.

Finally, this study concludes that the nature of political change in Acholiland has been mixed. The introduction of the principal-agent dimension in the governance realm was essential in fixing the gaps that existed in *kaka*. However, the politicisation of governance and the instituting of patronage and co-optive mechanisms have ruined the good it could serve. Acholi as a community has had a good change because it reduced the tension that had deterred collaboration among the different Acholi ethnic groups. As a society, Acholi has been able to influence the course of national politics and with marked consequences over the postcolonial era. It questions, however, the possibility of similar experiences at the higher level, where Uganda becomes more accommodating.

Research and policy implications of the study

This study of community governance has exposed a number of areas and issues for further investigation. The growth of politics in Acholiland has been deeply inspired by its fiduciary culture – where entrustment has been largely self-consciously enforceable – and its moral attributes towards its society, a case of self-preservation. This inward looking aspect of social protection gave birth to a strong modernity variant that shaped the campaign against torture in Acholi. In my mind, it departed from the generalised notion that kinship is based on loyalty rather than on contractual and functional specifics role (see: Kopytoff, 1987:58:49 cited in Hyden, 2011:Locations 1055-68). Literature on kinship and fiduciary culture has been viewed from the notion of the modern state and therefore, biased against organic collectivity, including kinship Chatterjee (2011: location: 221-39 to748-50) [426]. As such, it sees social ties among kin as destructive rather than opportunities for pluralism in modernity (see: Hyden, 2011: 1055-68[427].

The Acholi have demonstrated how "cultured" belonging, whether as primordial or imagined communities, permits a "vassal to owe obligations" to more than just themselves and how Uganda nation building should at all time embrace consent rather than consensus (e.g., Hayden, 2011:Locations 1055-68). As the Uganda Vision 2040 reaffirms, Uganda is "committed to deepen" its stance as a

[426] Chatterjee sees modern statehood as "governmental technology" generated under libral politics that contends in a creation of a "development form of statehood" that merely seeks to address the economic dimension of poverty. As such, it is short of the gists of local governance ideals we see in post-conflict or fragile situation

"developmental state". With the unlevelled fields in poverty reduction that see ethnic marginalisation, the contribution of "cultured belonging" based on kinship begs to be reconstructed, building on the experience gained in peace building in Acholiland. Kinship has for a long time been seen as a damaging factor in state building but the Acholi case study shows strong elements of the good. Africa as a terrain of kinship may be turned around not by destroying the kinship bond. Rather, by using it to develop its resources. As stated before, can state be an end view rather than a means to democratisation, one that does not necessarily conform to the western brand?

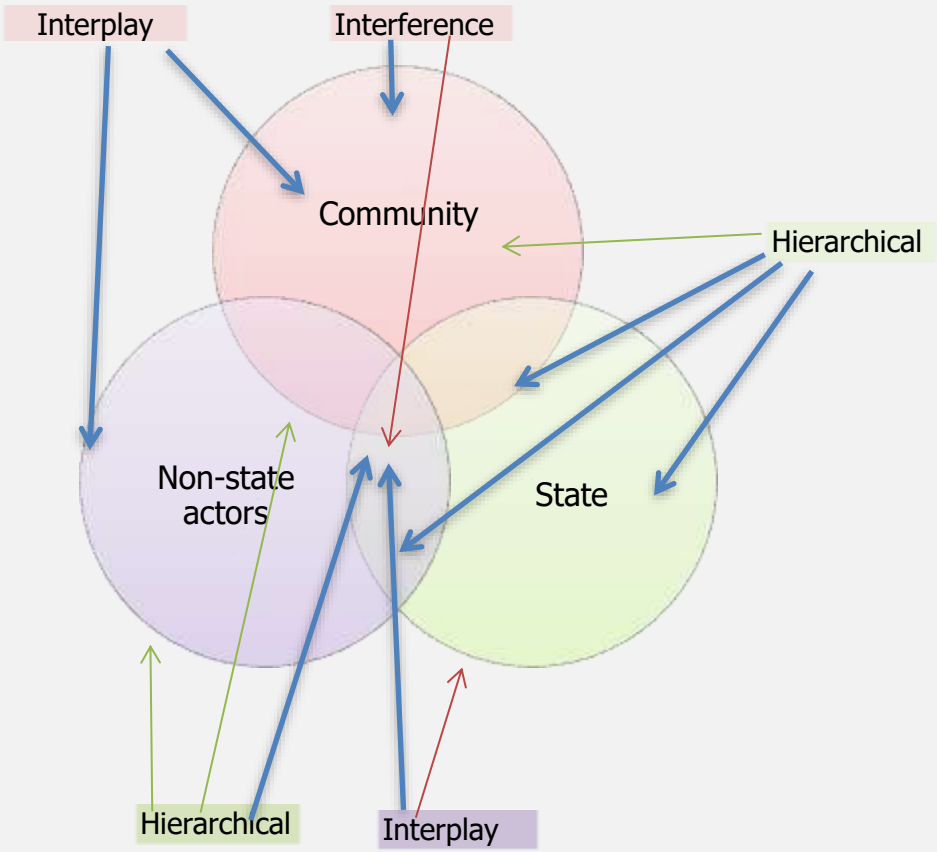
This research advances an idea of community governance as a moral engagement. It contends that governing actions are collective and vary with context. Local governance, seen from state fundamentalists, is a delegated power that is accumulated in the constitution of the state and dispensed by elected governments. While there is certainly a strong desire for centralised authority at some point, the search for relevance seems to outweigh the former. We need to rethink about diversity based on the failure of past attempts to transplant homogeneity in a naturally diverse African context. We need to think strategically on how, in a pluralistic environment, the western democratic framework of governance can only be an instrument of micro-level governance, and not one that is practiced at the macro-level successful

Annexes

Annex 1.1 – Model of Community Governance System

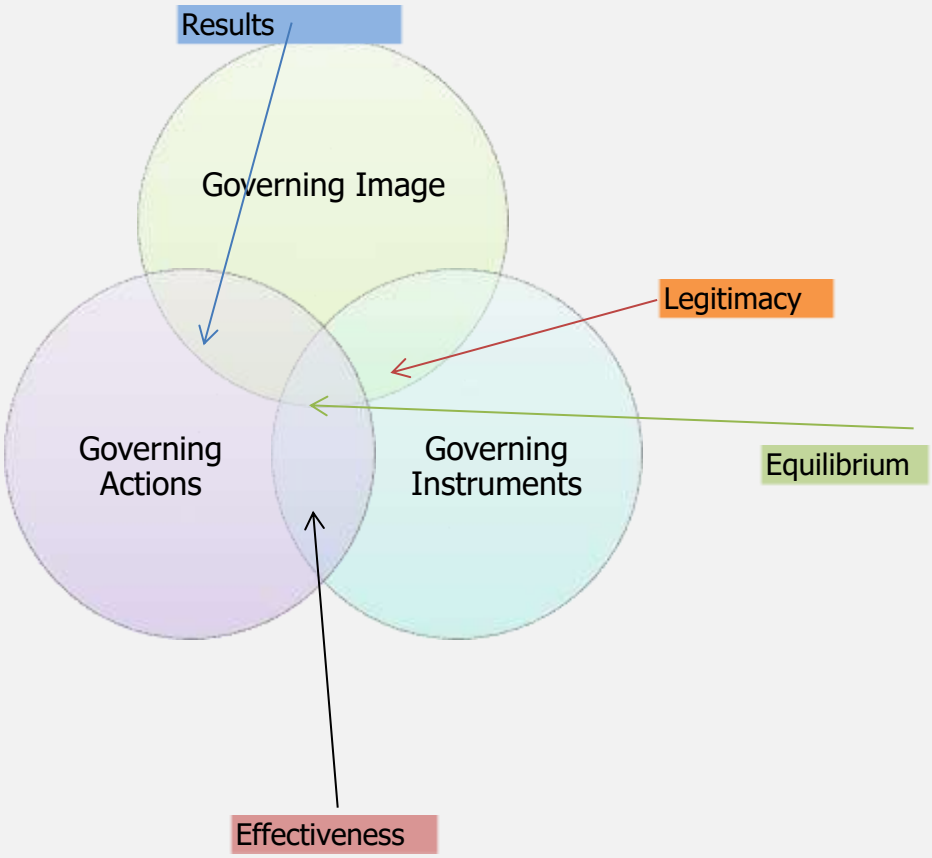
Kooiman (2003:23-24) suggests three kinds of governing interactions based on the nature of relationship, namely: interference, interplay, and interventions. However, interactions can be competitive, complementary, Interference, as a form of interaction, for instance, is seen as less organised and often the primary process of societal interaction in the system. Interplay, on the other hand, is also largely informal, depicting exchanges between social-political actors who occupy same political levels. As such, it occurs between governing actors as a shared action rather than independently. This makes interplay a supportive and specialised forms of interaction that enabled and constrained intentions of actors.

Figure 9.1: Model of Community Governance System



The last type of intervention is hierarchical and often formal. Intervention carries with it authority, but interaction dwells on mutuality and learning. *Won paco* as a headman of the *dye-kal* had both a duty and the authority to ensure compliance with patrilineal codes of behaviours

Figure 9.2: Community Governing Elements and Outcomes



Interactions	Explanations	Implications
Where governing elements all overlap	Means the quality and forms of governing elements are synergetic in that they reinforce one another as is always in case of good governance	Community governing elements are
Where governing actions and governing instruments interact	Means the quality and form of governing activity is effective, drawing from the complementary response between policies and legal framework	Embedded leaders and institutions within community
Where governing actions and governing	Means that the quality and form of governing activity is enforced by hegemonic acculturation leading to	Relevance of the governing

images interface	effective results	instruments
Where governing images interface with governing instruments	Means that the quality and form of the institutions is grounded in consensual viewpoint and thus legitimate	Stability in the governing actions

Annex 1.3: Categories of Rules and Practices Studied

Conceptual Areas		Attributes	Description of the Measurement
Governing instruments	1. General rules, frameworks and procedures derived from broad societal base	a) The state and quality of constitutive frameworks, rules and procedures derived from broad societal base	i) Enabling technical relevance and capacities for implementation
			ii) Enacting a combination of formal and informal procedures for selection of leaders
			iii) Enabling the mix of formal and informal rules on one hand and on the other hand, soft and hard rules
		b) Operational frameworks rules and procedures enabling predictable governing interactions	i) Measures effectiveness, predictability and relevance of governing interactions
			ii) Embeddedness of the governing instruments implemented
			iii) Availability, accessibility and accumulated knowledge of use of governing instruments
			iv) Selection of governing instruments: deterministic or probabilistic
	2. Specific rules, frameworks and procedures derived from broad societal base	a) The state and quality of constitutive frameworks for fragility and governance	i) Availability of technical capacities in operating governing instruments
			ii)
		b) The form and state of targeted operational instruments for the north	i) Quality of instrument used
			ii) Types and forms of the selected instruments
Governing Actions	1. General rules, framework and procedures for respect of human rights	a) Constitutive framework for implementing human right	
		b) Operational	i) Types of leaders available for

		guidelines for implementing human rights	actions
			ii) Embedded and shared social-political actions
			iii) Distributions, access and availability of social-political capital
	2. Social protections and safety nets	a) Constitutive framework for social protection and safety nets	
		b) Operational guidelines for social protection and safety nets	
Governing Images	1. Institutional arrangements and Practices		
	2. Leadership Types and Choices of Instr.		

Annex 2.2: Conceptual Discussion of Moral Governance

Community governance is viewed as a kind of inquiry. It focuses on how shared governing activities, that is, collective - the forms and modes - are structured by social-political analyses, moral dispositions, values and norms, and how in turn these are reinforced, shaped, compromised or overruled by the outcomes. As an analysis it can be primarily cognitive or normative, although that distinction breaks down when dealing with matters of needs – as is the case of emergencies, demands and change. In fragile situations, for instance, community governance as an analytical tool is normative, qualitatively and quantitatively determined.

The moral is embodied in the norms and the active engagements with governing entities, namely – the households and other levels, to understand and redefine responsibilities and rights of each other and the entire society. It is therefore concerned with the societal norms and the morals of acting without undermining opportunities for change that enable empowerment of all members of households in demand-driven and bottom-up perspectives. As such, the analyses anchor on norms, conventions, values, dispositions, carrying capacities and commitments regarding what is just and what a community group perceives as good behaviour in relation to them. As such it suggests certain broader conceptions of wellbeing, beyond what is typically known to the community. It includes, for instance, concerns for ethical interactions and relationships of care ignored by much conventional moral philosophy. In taking a very broad conception of the moral, one that includes conceptions of wellbeing, I propose a space for assessing moral aspects of community governance practices one that built on morality and aims to affects human well-being.

Moral as opposed to immoral behaviours are culturally determined and as such contestable. However, some forms of moral governance, for example, that of the patriarchal household, might be deemed immoral, and as domination disguised as benevolence and fairness. The study of moral governance does not have to be conservative but can expose and criticise such institutions of governance. In everyday life moral concerns can prompt resistance as well as conformity. By definition, a critical or radical approach cannot reduce motivation wholly to matters of interests and power, ignoring the pursuit of and concern for the good. Morality

cannot be wholly reduced to a front for power and interest. Contrary to prevailing alienated conceptions of morality in sociology, in which it is viewed as of minor importance and merely as an external system of regulation of behaviour, and an inherently conservative one at that, it is necessary to remember how central morality, as defined above, is to our emotional lives, commitments, identities and well-being.

Although well being may be socially defined in various ways, and take many forms, not just anything can be socially constructed as moral or fair. There is a universal human psychological need not just for social interaction but also for recognition, and as Smith and Hume noted, its absence causes serious suffering. Some degree of recognition of and from others, if only minimal, is expected in most social interactions including those of economic activities. This pursuit of recognition is a component of what is sometimes called the embedding of economic activities. For example, although contracts invite the contractors to treat each other purely as a means to an end, rather than as ends in themselves, actors commonly demand some recognition of their standing as ends in themselves. Much worker resistance (both to bosses and customers) derives from this. As the Scottish Enlightenment thinkers stressed, beyond subsistence level, economic activities are partly driven by the pursuit of recognition, albeit often in the 'corrupted' forms of status and vanity.

The 'economic' is taken to cover all provisioning activities, not only those of the formal, cash economy, but also those of the informal, particularly household economy. The economy should not be reduced to capitalist economic processes, nor should the latter be reduced to 'the market'. In addition to studying directly economic activities and institutions, moral economies could also deal with economically conditioned and conditioning institutions such as educational organisations. All instituted economic practices embody assumptions about rights and the good, about entitlements, fairness and propriety, even though they are also often products of unequal power. Of course many economic processes derive from the unintended consequences of actions, but these are open to ethical evaluation and regulation too, since all economic activities and relations have ethical implications.

Economic institutions embody conventions about moral-economic matters, in particular regarding property rights (for example, the treatment of the goods

produced by a capitalist firm as the property of the capitalist, not the workers), or regarding the legitimacy of usury, or the nature and distribution of rights and responsibilities, or the difference between gifts and entitlements or compensation (Zelizer), or the distribution of economic roles and rewards according to identity, and so on. While some of these may only have been established through long processes of struggle (as E.P.Thompson emphasised), once established they tend to become naturalised and depoliticised. In the case of capitalism, they do not merely constrain but enable and promote capitalist development. They may become part of the social imaginary. Gendered moral-economic norms have been also institutionalised by appeals to common sense assumptions of gender as grounded in nature. Political economy has sometimes contested but often legitimised these moral-economic norms (e.g. profit and interest as rewards for waiting, as compensation for contribution of capital, etc.), although once the economic practices in question are widely institutionalised, economic theory tends to treat them as parameters, marking their transition from contentious norm to quasi-natural fact, in so doing asserting its status as 'positive' economics. In other words there is a shift from the normative to the normalised, in which, as Habermas puts it, questions of validity are turned into questions of behaviour.

At any point in time, we tend to notice the moral-economic issues which are currently being struggled over (e.g. whether to allow insurance companies access to individuals' genetic data), but the subject of moral economy is also about all the moral-economic issues which have been forgotten but still help to constitute or 'frame' economic practice. Thus, the right of capitalists to the ownership of not only means of production but their firms' output, seem to be set in stone and unquestioned, although it was contested at the beginning of the industrial revolution. Some moral-economic conventions are open to continual contestation, for example those of the domestic division of labour, or those regarding appropriate behaviours and powers of capital/management and labour in the workplace and labour market.

The formation of 'the economy' as a distinct sphere and as an institutionalised system is very much the product of a whole series of acts of framing, narrowing down possibilities and matters which are uncertain and contestable so as to create a determinate basis for economic activity and interaction, and techniques of 'purification' of economic activities to exclude interferences. These are achieved both physically through the spacing and timing of

actions, actors and materials, and techniques of discipline in Foucauldian fashion, and conceptually or ideologically through the normalisation and legitimation of previously or potentially contestable arrangements. Economic institutions also typically define the legitimate scope and form of negotiation and contestation of arrangements, for example, defining what trade unions may contest and what they may not. If too much is allowed to be contested, then efficient, regularised economic activities may be prevented, though the point of such normalisation is typically the defence of concentrated political economic power, not merely efficiency. (The common use in mainstream economics of folksy examples of informal exchanges of goods between ordinary individuals as a model of highly formalised economic systems is disastrous not only in reducing economy to exchange but in ignoring the complex institutionalisation required for efficient economic activity.)

While the history of governance is very much about accumulation of power and controlling, struggles are also about the good, about justice and about what enables human flourishing. In both positive and normative modes, the project of moral governance is not only to address novel problems, such as commodification of land, but also to treat the existing normalised moral governance conventions as contingent social forms which embody normative assumptions, which in principle are still, are open to contestation.

Annex 2. 1: PART TWO of Chapter Two

Linking Community Governance and Institutional Outcomes

The most commonly reported definition of institutions comes from North (1990) - the new institutionalism and post-Weberian sociology, which states that institutions are the "rules of the game" in a society, or a "regularity" of social behaviour agreed upon by the society (see North, 1990: 3-5). This definition, however, embraces formal rules like laws and constitutions but not the informal rules like social norms and conventions (Hodgson, 2006:13).

Conversely, Hodgson's (2006) definition accommodates the informal basis of all structured and durable behaviour (Hodgson, 2006:1). He draws insights from a number of disciplines and asserts that institutions are systems of "established and prevalent social rules", not just rules[428]. As such, they evolved through use and their stability is re-enforced through societal preference and replicated through behaviours to establish an equilibrium, which becomes the custom of a chosen community. This quality of some sort can, however, be disturbed, hence the change of rules or institutions (see: Knight, 1992:2; Aoki, 2001).

While there is some agreement between Hodgson (2006) and North (1990), the former pointed out some ambiguities on institutions. For the purpose of this research, four aspects are crucial. First is definitional, and the relations between institutions and social structures with social-political actors. Second is the distinction between organisations and institutions (Hodgson, 2006:10). Third, the ambiguity in the term "formal rules" and "informal constraints" (North, 1990:138); Hodgson, 2006:10), and fourth, what institutional change and change outcomes are all about, and how the theories support the emergence of a framework that can discuss the Acholi situation. These aspects are discussed within the context of social power, seen as a relation rather than a substance (De Angelis, 2000:10).

[428] Institutions are commonly used in psychology, sociology, political science, economics and geography.

Debating the elements of institutions

Fleetwood (2008) uses recent insights in contemporary sociology and institutional economic theory to highlight controversies surrounding institutions and social structures, which are further contextualised here, within the social-political environments of Acholiland (Fleetwood, 2008: 10-15).

Fleetwood (2008:10) asserts that institutions have three basic components, namely: rules, conventions and habits, which he suggests are different things. As rules, institutions mediate and coordinate interactions in a humane way and acceptable manner.[429] Institutional rules, therefore, seek to establish equilibrium and are enforceable, while conventions are, according to Hodgson (2006:18), "particular instances of institutional rules" with the power to influence social-political actors and their actions. Habits, on the other hand, are the constitutive material of the institutions and are context specific (Hodgson, 2006:164). Hodgson further contends that habituation results in actors internalising the rules and transforming to them (Hodgson, 2006: 17).

As such, institutions are systems of established and embedded social rules that structure social interactions (Hodgson, 2008:18). Building on the works of Hodgson (2006) and other scholars he concludes that institutional rules are both constitutive and regulative (e.g., Giddens, 1984; Lawson, 1997; Hodgson, 2003,2004; Searle, 2005; Elder-Vass, 2006). Constitutive in the sense that institutional rule not only regulates actions of social-political agencies, it is also constitutes the actions of the agencies.

Implicit in this argument is that rules have a history of being accepted and followed by social-political actors, who internalise them and make them their habit (Fleetwood, 2008:12)[430]. As it follows, institutions consist of systems of rules, which are consciously or unconsciously embodied as habits and assist in coordinating the intentions and actions of social-political actors. Institutions exist independently of the social-political actors, who draw upon, reproduce and transform them

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[429] In discussing these components as it is, I recogniseFleetwood's (2008) submission that social norms, values, roles, laws procedures and regulations are traditionally considered as institutions.

[430] This is because rules are internal to the institutions and as such, they are external to the agencies and used to moderate their actions.

(Fleetwood, 2008:18). Furthermore, institutions may, via a process of re-constitutive downward causation involving habituation and habit formation, transform the intention and actions of the social-political actors (Fleetwood, 2008:18).

While North (1994:361) maintains that rules must be separated from players, Hodgson (2006: 9) argues that the organisations as players should be treated both as actors and as institutions, and therefore as internal to the rules. As such, institutions, like *gangi* agnates, actually mediate social-political interactions, but also, under certain conditions, use their competitive advantages to act on behalf of their members[431]. Whether institutions are agreed social rules of the game, or patterns of habits, they express to a large extent regularities, and within the definitional domain of this regularity, they both share a common limitation that they do not embody social change and the potential for change (See for instance: North, 2001; Ostrom, 1999; De Agelis, 2000:17)[432]. If human actions are articulated through institutions and it is institutions that are exclusively the realm of regularities – whether conventions, habits or rules of the game – the question then for scholars, argues De Angelis (2000), is to define how social change actually happens.

Differences – institutional or social structures

The central theme of this analysis is two-fold. One is to understand whether social structures, which are akin to power centres, change or are static and how human actions can perpetuate them (e.g., Lopez and Scott, 2000). This argument highlights a key distinction in the literature between organisations /structures, and institutions, something that is not always evident (e.g., Fleetwood, 2008:12). The second point is to highlight the similarities and differences between institutions and social structures and how together with social-political agencies, they are jointly supportive, recursive and constitute indissoluble unity, to support social change in Acholiland.

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[431] Thus, the ability of institutions to create stable expectations stems from their imposing form and consistency on human activities. They constrain, and also enable, behaviours, thereby opening new opportunities.

[432] In putting this argument, I recognise that in most African situations the majority of institutions are informal. But while the existence of informal institutions is well established in the new institutional literature, there is considerable uncertainty about them. This lack of satisfactory understanding of the informal institutions has forced scholars to focus on formal institutions as the locus for understanding institutional change.

Social and institutional structures are two terms that Lopez and Scott (2000) have used inconsistently. Noticeably, both are the circumstances of human action. They facilitate achievements, activities, and intentions of the social-political agencies. However, Fleetwood, drawing on interdisciplinary insights notes that social institutions are *bona fide* relational structures. In addition, social structures are said to enable and constrain the activities and intentions of social-political agencies (e.g., Fleetwood, 2007: 9).

Douglas (1986) reasons that institutional structures are constant and are grounded in recognisable practices of the social environment, the habitus (e.g., Douglas, 1986:92). However, the habitus changes over time, and derives disproportionate weight from early experience (e.g., Bourdieu, 1990:54). This position presupposes that the structures are static, and context specific. North (1990:3), however, submits that these structures are organisations and therefore "players of the game". He maintains that they are changing constantly and are subjected to human actions. Sahlins (1987), while in agreement with North, adds that personal interest, as part of human action, normally influences the reproduction of structures (e.g., Sahlins, 1987:152). He calls this "an irreducible present" (Porpora, 2007:195 cited from Fleetwood, 2008:5).

Both Fleetwood (2007:5) and Porpora (2007:195) contend that social structures are human actions and are sometimes used negatively to refer to social phenomena that "do not reduce to human actions"[433]. North (1990:3-10), for instance has justified the desire for distinguishing institutions and social structures to enable analytical clarity. Ostrom (1982:193) on the other hand has justified the distinction to circumvent the confusion between the ideal types and given instances of organisations.

Fleetwood (2008:9) suggests that, fundamentally, both institutions and structures are phenomena that are drawn upon, reproduced and transformed by human agents. However, unlike institutions, which are social rules, social structures as organisations can transform or change the intents and actions of social-political agencies.

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[433] Social structures have been used in very specific and general phenomena. For example, a specific instance would be the clan regimes, or gender regimes. However, the general aspect that is relevant for this study includes un-named structural phenomena like social conventions, norms, or even regulations.

The effectiveness of formal rules, such as penal codes, the rule of law, and democratic governance, depends on informal institutions, such as norms and attitudes and existing levels of social capital (Fleetwood, 2007:8-12). By focusing separately on structures as distinct from institutions, we disassociate our analysis from particular actors and therefore acknowledge that there are influences in decision-making which can be observed in the patterns of behaviour of local political actors, but which are not necessarily explicit in their public explanations of their actions (High *et al.,* 2004).

Since there is no agreement on the definition of institutions, there are equally varied interpretations of what institutions are for (e.g., Lin, 1989:6; North, 1990). However, three broad purposes can be identified: controlling, coordinating and mentoring. North (1990) contends that, primarily, the purposes of institutions arose through negotiations, which are mediated through power relationships. Generally, there is the sense that institutions actually ensure stability of the systems by providing genuine control and that through coordination of the actions and intents of political actors, institutions ensure impact. Furthermore, their mentoring functions support institutionalisation and sustenance of change outcomes[434].

Conceptualising Informal Institutions

There are three or more specific ways in which scholars have continued to conceptualise informal institutions. Some regard them as part of the community heritage - its culture embodied in behaviours of the society (Pejovich, 1999:166). This assertion is, however, problematic since some of these rules are not rooted in culture, like those norms related to legislation (see also: Soysa and Jutting, 2006). Another group insinuated that informal rules are self-enforcing, a viewpoint often advanced by modernists, to suggest that informal rules are part of the habits (e.g., Ellickson, 1991; Knight, 1992; Calvert, 1995). However, scholars, including Langston (2006), disagree, arguing that cases of third parties enforcing informal rules have been cited in many instances (Langston, 2006).

Yet another group of scholars have used the state-societal distinction to distinguish formal-informal relationships, suggesting that the norms and

[434] It should, however, be noted that institutions are not necessarily established for efficiencies of the system, nor are they effective without the support of each other in enabling the change outcomes. See for instance: Fleetwood, 2007

organisations that constitute civil society form informal institutions, and the state forms the formal institutions (Boussard, 2000 and Tsai, 2002). This logic, according to Helmke and Levitsky (2006: Location 97-101), misses the key features of organised corruption in the governing system that embodied arrangements within state power. In other words, the two categories "interlocks with epistemology" of the study (Moran, 2010:13-14). Southall (2004) and others (e.g., Stavelis, 2006) have argued that traditional societies tend to diffuse the functions of the state and civil societies within the various power centres in the system. As such, the norms in particular and the organisational set-up in such instances were not easily differentiated. There are states like South Sudan, which, based on its protracted history of fragility, have the civil society organisations and the state embodied in a relationship that defeats categorisation of roles and functions[435].

Typologies of informal institutions

De Soysa and Jutting (2006) see two types of informal institutions. One, are the customary laws and norms that govern traditional societies and two, there are extensions, elaborations, and modifications of the formal rules that are practiced by both traditional and modern societies. These are something that others have been referring to as "informal rules", to separate them from the "traditional rules" (see: Hohne, 2006:2)

Fleetwood (2008) and others (e.g., Hemlet and Levitsky, 2006), conversely, refer to these modified formal rules as informal behaviours rather than rules[436]. First, I think that "informal rules" are extensions, modifications and elaboration of both the indigenous and modern rules. Secondly, these "informal rules" `can be categorised as customary laws and traditional/indigenous rules or customs. I have used in this study, customary rules and laws in the cases where the practice is hybridised, blending selective traditional rules and laws with some elements of the modern rules. In the case of the traditional or indigenous rules, these are the customs of the indigenous groups. Just like modern laws – they are legitimate rules

[435] Personal observation as I worked for four years in agriculture and rural development in South Sudan

[436] Whatever the case, both types are recognised outside what are categorised as formal, even when their applications are more dominant in some instances. As discussed later, I have argued that the LRA as a militant group is a behaviour modified from the formal institutions of defence.

of the game, social control[437], or norms of operations normally regulated by traditional institutions and networks or structures, including clan systems[438]. However, informal rules – in this case, customary rules - derived from either the extension or modification of formal or traditional rules are, in most accounts, coping strategies by the community[439]. They are behaviours and practices that should not be confused with the traditional rules (see also: Adeno, 1991)[440].

Noticeable scholarly definitions of formal and informal rules as noted above, ignore the important emphasis of application[441]. In the case of this study for a long time, traditional laws and later together with customary laws dominated the practice of governance. In part, Acholiland, as we will see later, is a limited statehood where plural legal framework is practiced (see for instance: Finnström, 2008: 40-45, 49-55 and Dolan, 2011:112-115).

Working definitions of informal and formal institutions

Helmke and Levitsky (2006: Location 2627-2631), submit that the definition of informal rules should be more inclusive and differentiated from non-institutional and informal phenomena.[442] Thus, building from insights from other scholars, informal institutions are in reality "socially constructed behavioural regularity that are based on customs, shared rules and values [expectations], created, communicated,

[437] Informal social control refers to norms of behaviour that exist in a society and which are used to reward or punish people for both acceptable and unacceptable behaviour. They include the use of direct and indirect methods like ridicule, sarcasm or disapproving looks.

[438] In other words, these are the sets of social rules that are regularly applied and trusted because they are better contextualised by those who use them.

[439] Some of the social practices or behaviours in the project area included wife inheritance, and stealing.

[440] I therefore see informal rules as made up of (i) customary laws, which are modifications of the formal and indigenous rules, and (ii) indigenous or traditional laws – which are formal to a social group and are in use by the society. Customary laws, as coping strategy is equally applicable for used in the case colonial regimes. This is because as discussed later, it supported their survival rather than effective governance

[441] Modern laws, including the customary laws have been crafted to replace or support existing traditionary regularities and habits that are in use. Many of these indigenous rules that are in use are formally recognised by the society and are therefore formal in nature.

[442] Examples of these non-institutional behaviours or informal phenomena in the case of Acholiland include such statements like the Acholi are war-like and others that are substantially discussed by Finnström (2008: Chapter 2)

and enforced directly or indirectly by individuals, local or 'traditional' institutions" (Hodgson, 2006)

A couple of points need to be said in explaining this position. Firstly - informal institutions are tested constitutive rules and operational guidelines, sanctioned by legitimate systems, from generation to generation through binding social contracts – incentive mechanisms of obligations like networks of peers, kinsmen and women[443]. This particular aspect consciously or unconsciously applied is what Cournot referred to as the Nash equilibrium. This is a situation in which everyone is better off by following, and this aspect enlightens the habits that are established from the benefits of the rule (see: Stroke, 2006).[444]

This point recognises that what are often categorised as informal institutions, in actual fact, represent regulatory and constitutive mechanisms that are developed and tested over many years by diverse sets of social groups. So, like formal rules, they may hold limitations to society, as it has often been in patrilineage systems with the women and the young.

Secondly, in the definition suggested by Hodgson, I substituted "value" with "expectations" because informal political institutions like *kaka* were value-based systems. However, *kaka* had explicit and implicit intentions - which engendered shared expectations or beliefs that emanated from some core shared values. One such expectation was the *autopoiesis* of the *gangi* agnates as a means of practicing lineage-based cultures, including exogamous relationships. This point is important in understanding why political alliances were sometimes forged even among people with differing social values. As such, institutional change by reconstruction of political arrangements would be tantamount to change in shared expectations, rather than in shared values (see: Van Cotts, 2006: 23-34).

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[443] See for instance: De Soysa and Jutting, 2006. The study area also prides itself on its strong networks of age groups to enforce obligations, although the long period of conflict has significantly destroyed this capability.

[444] Typically, enforcement in compliance to governance seems to be largely self-enforcing with the objective of exalting ones prestige in the society. Good examples were rewarded with honour and songs that the communities would sing praises and dance to the tune of jubilation!

Social values are embodied in the organisations; assessing their daily routines, arranging their priorities, measuring their progress and pains as well as choosing between alternative courses of actions (Fleetwood, 2007: 12-14). However, expectations and beliefs, argues Van Cotts (2006), are the particularistic norms that bolstered *kaka*-doms as further discussed in the later Chapters[445].

Formal institutional rules and constraints, on the other hand, according to scholars (e.g., De Soysa and Jutting, 2006), are made up of constitutions, political systems, legal systems - laws, property rights, charters, bylaws, statutes and common laws, and regulations. The enforcement characteristics include official sanctions, such as criminal punishment, fines, incarceration, etc. These formal rules are generally thought to be codified entities that officials (rulers) ostensibly apply through regularised enforcement mechanisms.

Some scholars of political science (e.g., Powell 2000; Przeworski *et al*., 1999; Lijphart 1984) argue that formal rules foster accountability, more responsiveness, and promote representativeness as outcomes when compared with informal rules. This assertion, however, is being subjected to many criticisms. As Glaeser *et al*. (2004:26-27) contend, formal rules do not necessarily generate the exact same institutional outcome everywhere to similar degrees. As Rodrik *et al*. (2002:24) conclude on the question of formal institutions and development, "desirable institutional arrangements have a large element of context specificity, arising from differences in historical trajectories, geography and political economy or other initial conditions".

Some African scholars of the communitarian's viewpoints, like Adeno (1991) are deeply rooted in defence of the African "traditions" and cultures, arguing that formal institutions were imposed on Africans regardless of whether they work or not (see also: Kaplan, 2008: 49) and merely aimed at elevating Western authorities over traditional ones (see: Mamdani, 2002: 5). This may not necessarily be the case because not all "traditions" were plausible and acceptable[446]. However,

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[445] Van Cotts, 2006 - has extensively discussed this aspect in her work in Latin America.

[446] These imbalances in power, ushered by what is seen as global, were formalised into laws that became the core responsibility of the formal systems to uphold, like it is the case with the International Criminal Court (ICC). The reaction of some African leaders to how these formal rules are being selectively applied on African leaders, gives the

evidence of how formal rules have undermined good intentions of customary laws are overwhelming, even in the case of Acholiland.

The arguments against the inappropriateness of formal rules by some African scholars draw from the weaknesses in the way new rules were introduced (Mbeki and Mamdani, 2014). Imposed change, they argued, has one key intention: to create and use imbalance in social power to introduce political change, which were formalised into laws that evoke political discontentment in the pluralistic tribal settings that reflects the African context.

Explaining the Impasse in Institutional Change

The study of institutional change has been invigorated in the recent past by the need to understand and explain the sources, dynamics, and the determinants of institutional change outcomes. These change outcomes include, for instance, changes in practices, social identity categories and political structures (e.g., Wegerich, 2001:8; Todd, 2000; Badawi, 2003; McAdam, *et al.*, 2000). Through these scholarly efforts, there is noticeable progress in studying change outcomes (e.g., Hodgson, 2006a: 9; Fleetwood, 2008; North, 2009). In the case of developing countries, regardless of the theoretical orientation adopted, questions about the origins of change in political structures (North, 2005:49)[447], and their outcomes in terms of the landscape in governance, have received considerable attention (e.g., Assimeng, 1996; Beteille, 1971; Keulder, 1998; Mamdani, 1998).

However, there has been an increasingly, tendency by institutional scholars to trade on simplistic epistemic focuses. A typical case has been the focus on the determinants of positive institutional outcomes with the conclusion that "institution matters" for good political outcomes (see: De Angelis, 2000). Moreover, the study of institutional change, particularly in the 1990s, focused on "formal institutions" at the expense of the "informal" ones (e.g., North, 1990, 1991, 1994:360, 1995:15). A strict focus on only one type of institution is limiting, as it turns out that most of the

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viewpoint of this debate. See for instance article by Tambo Beki and Mohamoud Mamdani (2014),

[447] North suggests that the institutional framework in a modern society consists of a political structure, which deals with the management of societal political choices and how it develops. Others are property rights structures, social structures and institutional structures. In this study, I focus on change outcomes resulting from changes in political and institutional structures of governance.

"rules of the game" that determined the politics of behaviours, particularly in developing economies, are social orders that are not legally expressed or cast in writing (see: O'Donnell, 1996; Dia, 1996; Sandbrook and Oelbaum, 1999; Hodgson, 2006:11).

This makes sense because informal rules, such as value systems, influence the preferences of all social-political actors, thereby affecting the process of choices among formal rules (Wegerich, 2001:8). With respect to the determinants of positive outcomes, the emphasis has often overlooked the issue of context, in which institutions are found, and the role of the executive. In the former case, it also suggests in passing, that some institutions matter more than others, yet we now acknowledge that institutions do not work in isolation (North, 2009:15). The role of the state authority, and especially its executive bureaucracy that distributes political power, have not been well interrogated with respect to change outcomes (see: Fukuyama, 2013:347-348).

Badawi (2003:4), for instance, contends that the current motivations in debating change outcomes have not been taken on "their inherent scientific merits, but …to serve conflicting interests and ideologies"[448]. This comment is not new, and symptomizes the mismatch in result expectations by both the bureaucrats and the politicians[449]. The outcome of these misplaced actions, argues Badawi (2000:5), has been a mismatch between policy prescriptions and their expectations.

Over the years, there has been considerable progress and convergence by institutional scholars on the definition and concept of institution. In particular, those scholars, such as Hodgson, Fleetwood and North, have integrated insights in advancing knowledge in the study of institutions and institutional outcomes (North,

[448]Subsequent to 9/11, policy makers in the West have adopted a political stance that encourages the elimination of regimes that are considered, in their view, undesirable for global peace. This is based on the assumption that positive change can be enhanced through interventions of those who care about the world. This is the micro view of the policy. A counter view, the macro view argues for a sustainable power restructuring and acknowledges that occupation forces are not a solution to institutional change.

[449] Several works along this line have been done in Africa [e.g., Mamodou Dia (1996); Richard Sandbrook and Jay Oelbaum (1994); Dennis Galvan (2002)] and elsewhere in Latin America (e.g. Donna Le van Cott, 2000) and Asia (e.g., Christian Gobel, 2001)

1990; 2009; Hodgson, 2001; 2006; Fleetwood, 2007). However, there are still a number of areas that require more work and clarity.

For instance, there is still no agreement on what institutions are, and how to improve methodological rigour, and how to ensure that outcomes of institutional change and policy expectations are better synchronised to address the expectations of clients. Kingston and Caballero (2007) conclude, for instance, in an effort to clarify areas of consensus and disagreement, that the "appropriate model for studying institutional change may largely be a matter of context" (see: Kingston and Caballero, 2007:20)[450]

Przeworkski (2004:527-540), for instance, provides a supportive argument by pointing out that the theory of the New Institutionalism makes important propositions in furthering this debate. He further asserts that this theory acknowledges that institutions matter because they influence norms, beliefs, and actions, thereby shaping political outcomes (Przeworkski, 2004:527).

Furthermore, institutions are endogenous, meaning that their forms and their functioning depend on the conditions under which they emerge and endure (Przeworkski, 2004:527). The concern about political context is very much linked to governance, and governing interactions, that enable change and are also outcomes of change.

The question for scholars, then, is whether it is actually institutions that really matter, or the conditions in which they operate[451]. For example, it is easy to predict the effects of political behaviour under stable political conditions, unlike in the case of fragility. This is because there are historical trends upon which successes and failures are predictable, which might not be the case under fragility. Similarly, their relevance, on the other hand, has to do with pragmatism, since it is unlikely that change outcomes in the real world can be easily replicated.

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[450] In other words, within the environments where institutions are nurtured, the mode of governance is important because it moderates the outcomes of institutional change.

[451] This question is important as context or the conditions, in which political change occurs plays a significant role defining the outcomes of change, something that I have discussed later with respect to Acholiland.

While the reasons and intents of the resurgence of traditional institutions are many and often political, it is meaningful to examine the ways in which such changes in political arrangements - as part of change in institutional structures - are not only important in local governance, but are also linked to some political outcomes in a given society over time. I therefore submit that political outcomes, whether positive or negative, should be understood from a pluralistic context as much as from other parameters.

Presented in this way, it is possible to study how institutional change is linked to, for instance, changes in social identity categorisation and social practices, while at the same time keeping a focus on the limitations that are methodological, arising from concepts and definitions of institutions and institutional change. Kawaura and La Croix (2005:13), for instance, observe that political institutions cannot be organised as markets. As such, it is not a guarantee that political processes can generate plausible institutional change outcomes.

The debate brings to the fore, the core concerns about governance and its measurements. Therefore, only theories that shed light on changes in the internal governance of organisations - the *gangi* agnates and the *kaka* – as well as those that deal with the overall societal change, have been discussed. This is mainly for the following reasons.

First, it is important to understand what change actually occurred within the individual governing entities in Acholiland. As the building blocks of macro-level governance in Acholiland, the various governing levels might have played significant roles in the societal change over these years. Time, however, erodes or enhances social value and in doing so within these levels, it would most likely culminate either in conflict or in partnership, the former especially when forced from outside (see: MacAdam, 2001:22).

Second, it is important to appreciate the dynamism and complexity of governing actions at the coordinating level of the political divide, where over seventy or so of the *rwodi*-based political systems, maintained vigilance – either collectively or individually - over powerful and somewhat *autopoietic gangi* agnates (Girling, 1960: 82-124; Pain, 1998:3-9).

This particular aspect is important since it attempts to examine *kaka's* internal logic and leadership influence in the wake of insurgency and political contestations that are both induced and evolutionary in nature. Importantly, it puts into context whether *kaka* was actually more of an ideology, rather than a political organisation.

Finally, this discussion reaffirms the importance of engaging informal institutions in the analysis of social change, arguing that governing actions – as in elaborating principles, policy prescription, and providing leadership – whether moderated by formal or informal institutional rules, are context specific and, in line with the principles of peace studies, require embedded autonomy, with the right dose of subordination to the society (e.g., Evans, 1995:8).

Interactions between Formal and Informal Institutions

Scholars have argued that both formal and informal institutions enable governing interactions by managing social relations among social-political actors (e.g., De Soysa and Jutting, 2006; Helmke and Levitsky, 2006:Location 41). When social rules are ineffective, social frictions are likely to arise, thereby undermining the effectiveness of these institutions. However, the effectiveness of the application of rules, it seems, can be improved by enforcement. Some scholars, however, wrongly argue that informal rules have weak enforcement mechanisms because unlike formal systems, enforcement is a dedicated responsibility of a specific organisation (e.g., Powel, 2000:na). Like formal rules, weaknesses in the enforcement of some aspects of the rules are known to exist, for example, the enforcement of formal rules against smoking in public places in Uganda.

However, there are ways in which enforcement can be improved. Helmke and Levitsky (2004:728), for instance, have suggested that there are four ways in which informal and formal institutions interact in affecting change outcomes: complementary, accommodation, competition and substitution. Complementary interactions, argue Helmke and Levitsky (2006:729), occur when these institutions converge, and in the modern economy, the formal institutions are made effective.

Informal rules, argue Helmke and Levitsky (2006), can accommodate formal ones when they diverge. In this circumstance, the formal rules are effective and the letter of the law inviolate, although the spirit is violated (Helmke and

Levitsky, 2004:728). In other words, norms within what they term as customary laws coexist with the formal rules and energise change outcomes. These outcomes, argue Helmke and Levitsky (2004:729), may not entirely be the intention of the formal rules[452].

Thirdly, Helmke and Levitsky (2004:729-730) note that informal institutions do compete with formal ones when formal institutions are ineffective and the two diverge. This form of interaction occurs when formal institutions are poorly organised, less engaged with the traditional sector approaches, or their accessibility is poorly enforced or simply ignored by authorities. Additionally, people resort to multiple sources of justice, particularly where inherited legal systems following colonial rule operate side by side with customary law (see: Helmke and Levitsky, 2004:729-732). Helmke and Levitsky (2004:730) suggest that an analysis of change outcomes in such situations should include accounting for state incapacity to enforce the operation of formal institutions. Finally, Helmke and Levitsky (2004:79-731) argue that informal institutions can substitute the ineffective formal ones. In other words, when formal institutions are incapacitated and do not meet the demand of the population, informal institutions substitute for them.

Explaining institutional change and outcomes

While most analyses of institutional change focus on development outcomes, political scientists argue that particular institutional types generate predictable political outcomes (e.g., North, 1990 World Bank, 2005:na). For instance, some scholars accept that informal rules mediate the operation of the formal ones, and therefore affect the political outcomes (e.g., Cooter, 1994:na). Fleetwood has inferred to such political outcomes as practices, routines/habits and precedents (Fleetwood, 2008:7-8).

While institutions are capable of changing or transforming social-political agencies, social structures may not have this effect. This is because social-political agents have sets of dispositions, capacities or powers, which are irreducible to them, but social structures have sets of values that are dispensable.

[452] Cases of added value in the legal practices arising from the accommodating roles of informal rules are many and some related to the study are discussed later in the thesis.

It seems to me that when Fleetwood (2008) discussed the tripartite relationships between social-political agencies, institutions and social structures, he posits that the intentional dimensions of interactions by the social-political agencies were often aimed at compromises even when they held different interests. However, in the case of Africa, political agencies who hold power have tended to drive change to their advantage, regardless of the implications to majority of the people[453].

Institutions, and especially political institutions, have on many occasions been changed through force of arms. In many instances, these were a result of a combination of both internal and external factors. In the case of Uganda, changes in local governance were imposed based on the reasons for such changes in the need for effectiveness and efficiencies (e.g., Mamdani, 1996). Regrettably, studies have shown that service delivery and governance, overall, have not improved as envisaged (World Bank, 2008:na). Kooiman (2003:11-24) contends that changes in the political arrangements, such as the case in Uganda, are both an outcome and political actions for change.

Institutional outcomes and political contents

Institutions, through institutional outcomes, affect the behaviour of social-political agencies through incentives or restrictions (Hodgson, 2006:12; Fleetwood, 2008: 24). These, in turn, reform and alter their intentions and activities. For this essay, I am concerned with the effects of both institutions and structures on political actors within and outside the Acholi political system. In the case of Acholiland, I have argued that historically, the interest and purpose of the third party agencies diverged from those of the primary groups. As a result, such conflict in interest and purpose has sometimes turned violent.

Kooiman (2003:22) submits that formalised social interactions often exert formal influence with *provisos* that can either reinforce or delimit existing spheres of local authorities. Where formalised rules conflict with existing *provisos* in practice, they can either be negotiated and resolved, or overturned by the use of force. In the

[453] In the case of Uganda, Mamdani (2002:3-16) discusses reforms during the colonial era while Adam Branch (2011:46-48) gives a flavour for the recent past.

second instance, formal rules may complement or reinforce existing informal rules, thereby facilitating institutional changes that are accommodating.

In other words, public rules, when carefully designed to create change, are thought to facilitate governance[454] in possibly two broad ways. In the first instance, it enables governing intentions and actions of the third party and also enables the growth of the participating social-political agencies. This instance demonstrates how culturally determined norms and attitudes, and the rules of the game prescribed by the regime, determine the success or failure of political undertakings (Hodgson, 2006:11-14).

In the second instance, competitive processes among the social-political agencies engender efficiency, and by extension improve service delivery. Since institutions determine the incentive structure for affecting individuals and group behaviours, the rules governing the political dispensation are subjected to a regime that is accommodative to all participants.

Context of conflicts and change outcomes

Political outcomes are mediated by both the intentional dimension of the interactions - namely: the interest, purpose and prospect of such governing interactions - and by the structural dimensions or context level which embody the cultural, material and power that mediate interactions *(see Annex 2.1 for diagrammatic flow) (*Kooiman, 2003:14-16). Third parties have continued to harbour governing intentions, which are not fully consistent with the cultural norms and power structures of the Acholi (Garling, 1960:85-90). These intentions affect institutional outcome arenas by either influencing the way internal interactions are carried out or by changing the content, including governing activities and actions.

Some scholars maintain that there are often tensions between intentional interactions and the structural level of governing interactions (e.g., Burns et al., 1985:na; Fennica, 2001:5; Kooiman, 2003:16). Silva Fennica (2001), for instance, analysed the culture of conflicts in the natural resource sector in resource-rich societies across a number of countries (Fennica, 2001:8). She submits that there

[454] The key aspect of economic development, which is relevant for this study, is the growth of confidence in the leadership virtues that would lead to good governance, stability and peaceful co-existence.

are general frames in which societies respond to governing interactions that are mediated through social powers. In some instances conflict culture – as a structural dimension of interactions – exists, but not in others. She referred to these two scenarios as "conflict sub-culture" and "conflict culture" respectively (Fennica, 2001:4-7).

Fennica's (2001) two concepts show that interactions with third parties can lead to either outright conflicts or can be negotiated and therefore managed if the parties have interests rather than positions in the relationship. Where third party counterparts have diverse or weaker commonalities of interests and their internal controls are in disorder, more social control can be applied from outside, especially where greed drives the negotiation. This situation weakens internal collective decision making by the counterparts (Burns, et al.1985: 107).

Conflicting sub-cultures represent a situation of disequilibria. They presuppose that the structural dimensions of governing interactions of the social-political agencies - both internal and external - their goals, purposes and interests, contradict to the extent of creating violent conflict (Dwyer, 1972:1-10; Girling, 1960:129, 136-139; Adimola, 1952; Pain, 1988:5-14) [455]. Under such scenarios, the most appropriate governing actions would be a negotiated / mediated position, or outright forceful overturning of the dominant system as the most viable option. Where this path is the preferred option, the intermediate outcomes would include creation of a completely new accountability process with new political structures and centres, although some studies admit that these often ignore existing "traditional" ones (see for example: Branch, 2011:52-53).

Conflict cultures, on the other hand, express the general setting in which a social group like the Acholi society, given its structural context – the geo-politics, typical social, political, economic and resource capitals - tends to promote accommodating types of change outcomes, thereby adapting to new ideas in a manner that would eschew violent conflict (see also Fennica, 2001; Branch, 2011:154-158). In the words of Kooiman (2003), social-political actors with

[455] Some of these authors have elucidated on the parallels in the intentions of other agencies that often led to violent conflicts. Some of the cases reported in the literature include parallels with slave traders and the Arab traders from "Kuturia", the Lamogi uprising of 1911, and the numerous inter-tribal and inter-*gangi* wars that typified the emergence of centralised authorities in the region.

enduring relationships most likely take one another into account while negotiating for change (Kooiman, 2003:16). Hence, they apply self-regulating mechanisms, actions that have long lasting implications on the change outcomes, beginning with the process. In other words, the elements that govern intentional interactions among the agencies are stable and enduring thereby permitting co-existence with peace and tranquillity.

In both scenarios – the conflict sub-culture and the conflict culture - the intentional dimensions of interactions, which concern the specific goals, interests and purposes of the different social-political actors are at stake, except when they are similar (Kooiman, 2003:16). A position of "stability" can only emerge when (i) both actors harbour respect for the other interest because they both do not hold a specific position; and (ii) when especially the weaker partner succumb to the power, unwilling to confront it but preferring to play the perceived role of subordination to the power.

Kooiman (2003:19-24) asserts that the forms or structure of governance determine the forms of interactions. In the case of kingdoms or chiefdoms, where authorities are hierarchical in nature, social powers are expressed in a more authoritative and instructive manner, often leading to contestations of the processes and outcomes, or the complete opposite. However, because of enforcement mechanisms and the associated rewards for oppositional behaviours, structural and physical violence become the preoccupation of the subjects.

Kooiman (2003:15) submits that when structural interactions – the circumstances that limit, broaden and condition the intentional level - permit, a successful condition will uphold. In other words, the potential for conflicts, it seems, is found in the management of the structural dimensions of interactions, that is the behaviour[456]. Hence, whether or not political institutions foster better governance and accountability, encourage trust, reinforce social relations, and avoid the exclusion of some sections of the population from benefiting from the development outcomes, is as much a question of the incentive and enforcement mechanisms of the institutions themselves, as the environment it operates in (see: Kooiman, 2003:11-24).

[456] Annex 2 is a diagrammatic representation of the institutional interaction model explaining this processes

The effectiveness of formal rules, such as penal codes, the rule of law, and democratic governance, understandably depends on informal institutions such as norms, attitudes, existing levels of social capital, or the patterns of interaction that individuals assume in any shared activity.

Institutional outcomes and context

Scholars have this conviction that a particular "institutional arrangement" can have different effects in different environments, depending on the context (e.g., Stiglitz, 2001:na; Soysa and Jutting, 2006). This seems to suggest, for instance, that the institutional arrangements for governance do have different effects in stable, conflict and post-conflict contexts. Soysa and Jutting (2006) for instance made reference to the governing practice that involves a reliance on entrustment, arguing that entrustment is both beneficial and a liability. Soysa and Jutting's (2006) insights emphasised especially the economic perspective, seeing entrustment as pervasive against accumulation of wealth[457]. Shipton (2007), on the contrary, stated both negative and positive effects of entrustment on community governance, for instance, in areas of human and child rights. Kaplan (2008:7-10), in a similar way, viewed the potential of entrustment as a practice embedded in existing social-political structures for economic development in fragile states, suggesting that they provide a good resource for transiting into modern society, raising additional concern as to whether modernity is singular or pluralistic?

Often, there is a tendency to generalise certain benefits from some institutional outcomes. Stiglitz (2001), for instance, suggests that it might be prudent first to define what nature of outcomes are envisioned as beneficial, and then correlate the relevant institutional feature (rules) with the outcomes eliminating other possible determinants of that outcome.

Some scholars (e.g., Bardhan, 2001; Kooiman, 2003:24) and the World Bank (2011:20-22), do seem to agree that shared governing interactions, and therefore pluralism in governing efforts, between private and other non-state actors including the communities alongside the state, more often gain a better response to

[457] Entrustment is as social capital embraces a number of disciplines, including anthropology, political science, sociology, history and psychology. Integrating insights from all these fields allow the analysis to provide new viewpoints and products that explain the real view of the Acholi's experiences

a fragile situation. This means that non-state actors, because of their competitive and comparative advantages, sometimes do substitute, compete or supplement state actors in the reconstruction process[458]. The international recognition of sovereignty over the territory albeit through shared arrangements, define the nature of a limited statehood for a particular sector or territory (see: Risse, 2011: 2-4).

The effectiveness of formal law depends on how well the law corresponds with norms and the enforcement mechanisms therein. Overall, norms and attitudes do affect how well formal institutions can work (Posner, 1998:7-12). Responding to the impact of informal institutions on political systems can therefore, considerably reduce the costs associated with poorly functioning formal institutions.

Theories of Institutional Change

Recent studies by scholars have highlighted both the importance and complexity of institutional change, particularly under imperfect markets (e.g., Hobsbawn, 1983:2). In this case study, I seek to understand from a pluralistic perspective the sources, processes and outcomes of institutional change at the micro, meso and macro levels of political systems, and how they relate to each other. In this section, I review theories that are concerned with changes in the institutional structures and arrangements of internal governance, in addition to those concerning overall societal change[459].

Subsequent to the 9/11 bombing incidence in USA, western policy makers, according to some scholars, adopted the micro and the macro theories of institutional change. These two views posit that positive institutional change - one which the West perceives as leading to more efficient modes of political and economic governance - should be preceded by one type of elite change (see: Badawi, 2003:3). Both views have great insights that explain the continuing change

[458] See also discussion by Bardhan, 2001 on this point.

[459] I have looked in particular at theories that have explicit consideration of cultural and formal institutions with the view to discussing: (1) the causes of institutional change in the political systems of the Acholi community. The intention is to identify the outcomes of both exogenous shocks and endogenous processes in bringing about changes, which are important both in the short and the long-term; (2) the process of institutional change, which will support our understanding of the interaction between formal and informal rules; and (3) the outcomes of the institutional change and how this links to the history of Acholiland and why.

in the political systems in Acholiland over the years. However, they also have limitations.

I discuss the two views under the supply-driven models of institutional change below. In the context of Africa, these are being applied in many countries, where regime change is desirable from the West and to install Eurocentric practices[460].

A society's cultural endowments, such as its values and customs, are considered informal institutional arrangements. Like formal arrangements, they are man-made devices that are enforceable by the systems, to satisfy societal needs. Experience and research have shown that these cultural endowments change over time, in some cases, even faster than imagined (see: Hobsbawn, 1983:2). There are three distinct views in the literature that dominate much thinking about institutional change and outcomes. Theorists, including North (1990) and Feeny (1988) advanced the first view, which is popularly referred to as demand-induced institutional change. This view treats institutional change as a bottom-up phenomenon, having been triggered based on some demand for improved institutional performance. The second view, advanced by theorists such as Binswanger (1978), Gibbs and Bromley (1989), treats institutional change as a supply-driven change that favours the elite. The final view is a blend of the two views and championed by theorists like Schotter (1981), Aoki (2001) and Greif (2006). These latter theorists, who conform to the epistemic view of interdisciplinary, recognise that demand alone is insufficient to complete institutional change. Rather, an exogamous influence in reality is critical and inevitable.

Within the viewpoints, there is recognition of the interaction between institutions and the agencies to create outcomes. However, the sequencing, whether it is the institutions or the agencies that are first to create a critical determinant of institutional change, has remained a contentious debate (e.g., North, 2005:59-61; Greif, el at, 1994: 773). In the case of institutional changes aimed at economic growth, it is argued that such changes would aim to establish a set of values, or mores, that are congruent to economic growth (Lin, 1989:28).

[460] However, the methods of implementation have been variously executed thus far, as seen in the cases of Kenya, Sudan and Zimbabwe. One method has been the increased support and funding through civil societies for some opposition parties, seen as preferred alternatives.

Furthermore, most scholars seem to argue that such cultural endowments "will be changed when it is profitable to do so" (North, 2005:59-61; Greif, et al., 1994:773).

Imposed institutional change view point

The first view, which Lin (1989) refers to as an imposed institutional change, is a model that fits many key studies of a centrally driven change of rules or what others refer to as supply-driven institutional change (Kingston and Caballero, 2008: 1-15; North, 1999:59-61). In this model, modification or replacement of existing institutional arrangements, or the emergence of a new one, are centrally guided and executed by those holding power (see: Montias, 1976:20). [461].

In this approach, theorists assume the process is democratic, with differentiated distributional consequences that would demand political action, negotiation, lobbying, and/or bargaining among the different actors, to attain equilibrium. This, it is argued, is due to power differentiation among the beneficiaries of the rules (e.g., Kantor, 1998; Alston, 1996; Ostrom, 2005:18). Depending on the attributes of the transaction interests (Kingston and Caballero, 2008:5), participants recognise the need for some guided rules and procedures with the potential to leverage positive impacts on the political systems (Williamson, 2000; Fenny, 1988:176).

Within this model, theorists describe two or three possible routes whereby change outcomes can be achieved. In the first case, multiple hierarchies of rules normally create winners and losers. Depending on who the losers are, Ostrom (2005) contends that it would impede effective institutional change Ostrom, 2005:61. The second possible route considers the potential for multiple conventions, and theorists like Sugden (1989) and Knights (1995) interrogate the representativeness and quality of the outcomes in terms of selection processes. While in novel

[461] In this study, I have defined institutional arrangements as sets of behavioural rules that governed a specific pattern of action and a specific relation both in formal and informal settings. Households, local governments, etc. are classic examples of the formal institutional arrangements. These settings under formal systems constitute what I consider structural social capital. They are relatively "objective" and externally observable. Values, ideologies, and customs are informal arrangements. They are subjective and intangible and constitute cognitive social capital. Both can co-exist and complement the other but can also exist on their own accord. An institutional structure is the totality of the formal and informal arrangements in a society and in my view is broader than institutional environment.

situations, rules that govern some interactions are arrived at through bargains; the process is sometimes subjected to power plays (see: Libecap, 1989:16; Alston, 1996:26-7; Kantor, 1998; Kaufman, 2007:16).

The key implication of the existence of such multiple equilibriums is the likely possibility to select inefficient equilibriums to political reasons. With this possibility, the institutional change is said to exhibit "path-dependence", meaning that no fundamental change may be attained as the initial conditions and historical accidents can have a lasting impact on the institutions following this process (Kingstone and Caballero, 2007:4).

The third path for collective action can be limited to a group with negative power, to change the objective of the struggle through institutional change. The theories that discuss this viewpoint raise some pertinent questions. For instance, the notion of whether there can be sufficient conditions for bottom-up change to realise desired outcomes in an environment with many different interests. Hechter (1990:19) and Keohane (1983:146) for instance, argue otherwise. They, together with other scholars contend that the impetus for demand-induced change is conditioned on both internal power relations and power bases and, more often than not, external hands play the larger part of defining the outcomes (e.g., Libecap, 1989:16; Ostrom, 2005:61).

The evaluation of the 1980s and 1990s economic reforms by the World Bank testify to deficiencies in the change process (Bevir, 2009:Locations 216 – 236; Branch (2011:46-53)[462]. First, the processes are not mutually inclusive because institutional changes are often decided by external sources but are also targeted rather than holistic. Second, where participation is used, to draw poverty action plans by involving the CSOs, the final decisions that are aligned to the budgets are dictate from the ministry of finance and economic development, who are guided by external financiers[463].

[462] Mark Bevir (2009) in his "Key Concepts in Governance" as well as Adam Branch (2011) in the case of Uganda, discuss the implications of reforms in governance that bring out the issue raised here.

[463] Personal interviews with development workers carried in June 2012 in Kampala

The other concern relates to how the theories are ill equipped to deal with issues of informal constraints. Informal arrangements like conventions and social norms, which do not fit into these theories, are important in explaining why some formal rules are not actually followed. These are 'rules-in-form' and 'rules-in-use', to mean rules that are enacted but not operational and those in use but not formal rules, respectively (Ostrom, 2005:138).

Decentralised institutional change viewpoint

Demand induced institutional change is either a spontaneous or a deliberate internal change generated to bring about new change that was lacking in the old institutional arrangements (Lin, 1989:13). In this model, modification or replacement of existing rules or behaviours, or the emergence of new ones (mutations), are supposedly uncoordinated, random and demand-led, organised as an internal discourse[464] for betterment (Kingston and Caballero, 2008:3). This aspect distinguishes the two theories because, in this case, there is no central mechanism to coordinate outcomes (Kingston and Caballaro, 2008:8).

New rules and behaviours in this case undergo a kind of decentralised selection process, akin to Darwinian evolutionary principles of variation, and successful ones will spread. Some scholars, however, note that these changes are conditional on the capacity of the beneficiaries on one hand, and the political power base on the other (see: Koeohane 1983:196; Hodgson, 2004:13-20).

In this approach, theorists assume the existence of rationality and opportunism of the transacting agents involved[465]. Depending on the attributes of the transaction interests, participants recognise sets of rules or governance structures with potential to leverage positive impacts on the political systems (Williamson, 2000; Feeny, 1988:176). Through competition, the most efficient institutional forms emerge, in what Williamson (2000) terms "discriminating alignment".

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[464] In presenting this as an internal discourse, I recognise the intricacies of an internal power struggle that, although it is considered a democratic process, is normally endowed with conflicts, strategising and bargaining processes that are influenced by higher level constraints including the constitutions and rules

Within this model, theorists describe three possible routes whereby change outcomes can be achieved. In the first case, change outcomes are marginal and a clear outcome is known *apriori*. The process of such change triggers relatively minor interest, and the scopes of the change are limited to situations, in which competition among institutional forms can weed out inefficient rules (Kingston and Caballero, 2008:3). Typically, relative prices (North, 1990: 83), knowledge of possible gain (Feeny, 1988:176), and contacts with other polities (Lin, 1989:14) are examples of externally driven changes. The second case is where power groups or insiders with special skills or interest in the change influence such changes. Depending on the context, the outcome can be contested for relevance. The third possible root, argue scholars, is where a predatory ruler, the state, or politicians with predetermined outcomes, influence the process to their advantage (North, 1981; Libecap, 1989:20; Ostrom, 2005:34).

There are limitations with the evolutionary theories viewpoints, however. This viewpoint, like the previous one, disregards the exogamous factors as a basic source of impetus for institutional change (Kingston and Caballero, 2008:13), and the model is only appropriate in studies in perfectly competitive markets, which is akin to developed countries. It is also inappropriate for a study in which there is a deliberate attempt to design rules for the betterment of situation, a well-known phenomenon in developing countries, and Alchian (1950) explicitly recognised that the model has limited possibility for a global optimum.

Equilibrium view point

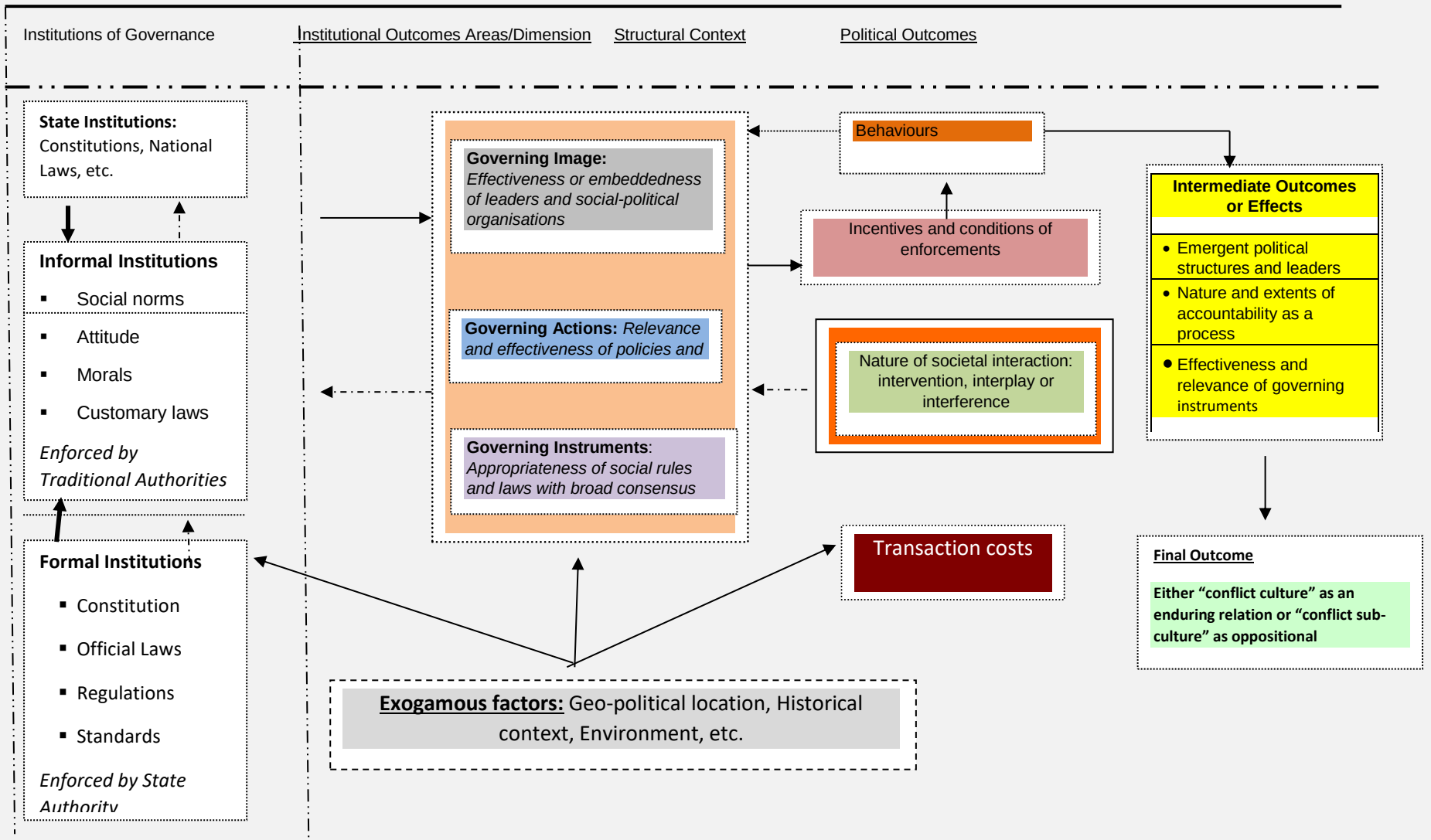
The third viewpoint, which Christopher Kingston and Gonzalo Caballero referred to as the “Equilibrium View”, blends the two theories of institutional change discussed above. This viewpoint treats formal and informal rules together with their enforcement mechanisms, within a unified framework for coordinating the expectations of social-political agencies with specified behaviour (e.g., Schotter, 1981; Aoki, 2001:24; Myerson, 2004; Greif, 2006). Thus, although there are marked differences in how institutions are defined by these theorists, they agree about the patterns of behaviour, instead of rules that govern such behaviour (Aoki, 2001:20-25 and Grief, 2006).

Thus, any modification or replacement of existing institutions, or the emergence of a new one, is subjected to some equilibrium patterns of behaviours,

mediated by both endogenous institutional rules and exogenous physical constraints, changing expectations rather than rules (Aoki, 2001:23). In the model, most scholars argue that the endogenous "rules of the game" provide the strategies that ensure that the institution that emerges is an endogenous equilibrium outcome that reflects a socially constructed reality (Kingston and Caballero, 2008:18). In this approach, theorists also assume the existence of rationality and opportunism of the transacting agents in maximising their welfare (Aoki, 2001:23). Depending on the attributes of the transaction interests, participants recognise sets of constraints, both internal and external to the system, with the potential to stabilise expectations Grief, 2006: 45. In other words, the behaviour of the agencies, as specified by the rules, must be in equilibrium (Kingston and Caballero, 2008:18).

Within this model, theorists describe two fundamental characteristics of institutional change. In the first instance, institutional change results from a shift in expectations rather than in rules. Hence rules, according to Aoki, are only helpful when they enable shifts in people's expectations (Aoki, 2001:231). In this case, rules are endogenous and facilitate behaviours of social-political agencies. Only "rules-in-use" can shift expectations, while "rules-in-form" are quasi-parameters of the institution and could merely broaden the range of existing equilibrium in the pattern of behaviour. The second route is when change in quasi-parameters of the institution undermines existing expectations leading to institutional disequilibrium and an impetus for institutional change.

Annex 2.2: Institutional Change Dimensions and Context Framework



Annex 3.1: Historical Profile of Violence in Acholi

Periods	*Crisis Events*	*Impact on Governance*
	Colonial Era	
1898 to 1950	Forceful disarmament and pacification of Acholi led by Major Delme-Radcliffe and the Nubian forces- 1989 to 1914 (Leys, 1965; Gertzel, 1974)	Practices of violence promulgated as legal framework for compliance, expressing authority and in defining belonging from 1898 to 1962. The Nubian forces were used in the case of Acholi to enforce this order.
		Kaka Payiira and the whole of Acholi was under siege as *Rwot* Awich of Payiira was arrested in 1901 and 1910; (ii) political arrests, detentions and forced labour; (iii) the Lamogi and Labongo rebellion, 1911/12 leading to many death and displacement; (iv) destocking of leaders and clans; (v) reported high incidence of gender-based violence by the colonial forces
	Forceful relocation of Acholi from their land from 1902 to 1935 by Postlethwaite (Gertzel, 1974)	• Displacement, death and torture of mostly communities from particularly *kaka* Alero, Payiira, Koch, Lamogi and Pabbo • Reported high incidence of gender-based violence by the Nubian forces
	Death from drought, famine, diseases and pests. E.g., cotton disaster 1938/39	• Famine - ninety per cent of millet destroyed in eastern Acholi; 25 per cent of cotton produced in 1937 in west Acholi not harvested by farmers; 57 per cent of income from cotton lost in 1937 in Acholi;
		• Increased recruitment into national army, 1939 to 1940. Sixty per cent of male sought recruitment and 20 per cent were recruited into the national army.
1950 to 1962	• Drought and famine in 1966/67	

	Obote I – October 9, 1962 to January 25, 1971	
1962 to 1967	• 1966/67 drought and famine • The Buganda Crisis in Mengo	• Army recruitment, 1966/67
1967 to 1971		
1971 to 1979	***Pax Aminca, January 26, 1971 to April, 1979***	
	• Amin's overthrow of Obote's Government on 26th January 1971 and setting up of a military government in Uganda (Pain, 1998)	• Targeted killing of Acholi's leaders and creation of fears among the Acholi community, 1971 to 1979; • Local governments and governance influenced with internal wrangles
	• Overthrow of Idi Amin Government in which Acholi played a significant role	• Recruitment of young male into the new UNLF/A between 1981 to 1985
1980 to 1985	• Severe droughts and famine particularly in eastern Acholi in 1979 to 1982 (Oloya et al., 1998)	
1986 to 2010	***Pax Musevenica, January 26, 1986 to 2010***	
1986-1989	***Phase 1-1986 to 1989: Capture of Acholi by NRA/M***	
	The Crisis Events	*Reported Impacts*
	• 25th January 1986 NRA took control of Kampala • March, 1986 NRA/M entered Acholiland and with series of reported violent incidence: armed robbery in Acholi and killings reported in press (e.g., The Standard newspaper, Nairobi, 21/1/87) • Disarmament: NRA/M launched a counterinsurgency without insurgency (Branch, 2004)	• Targeted intimidation and tortures Displacements of Acholi into urban and internally displacement centres created by governments and NGOs; • Emergence of Holy Spirit Mobile Forces by Alice Lakwena as counter insurgency when the UPDA signed treaty with NRA • Emergence of the Kony insurgency in Acholiland

	• September, 1986 army directives for people to go to the camps (Atkinson, 2010:297)	
	• Corner Kilak Massacre in Kitgum on 18/01/1987 (www.monitor.co.ug) and New Vision of September 7, 1998 and November 01 and 16, 1998	
	Phase 11: Implementing NRA Bush Agenda, 1988 to 1996	
	• 1991 to 1994 –Major General David Tinyifuza Operation North (1994 to 1992) which bock out media (Tripp, 2010; Branch, 2011)	
	• Operation North by Betty Bigombe and the NRA	• Militarisation of the population: mobilisation of arrow group in Acholi to counter the LRA, which later were abandon by the NRA (Atkinson, 2010:290-292)
	Phase 111: Official Creation of Camps of Social Tortures, 1996 to 1999	
	• LRA insurgency 1987 to 2007	

Annex 3.2: The Legacy of Violence and Violations in Acholi

In summarising my views regarding current scholarship on conflicts and violence in Acholi, three strands of argument can be identified and they are interrelated. The first strand sees the structural dimensions of the interactions of the Acholi people as the main issue – setting Acholi as a constituency apart from the state and its partners. This argument presupposes that Acholi is a conflict sub-culture (Refer to authors like: Baker, 1872; Speke, 1862; Allen, 2004; 2006; Berber, 1962; Crazzolara, 1951). It further sees violence, as bilateral interaction between the Acholi on one hand and the others, on another hand - which I contend, was not necessarily the case.

The central point in this strand questions Acholi's image in relating to other cultures and sees violence as linked to Acholi's historical mistrust of the state and to the other non-Acholi (see: Lwanga-Luyiige, 1989; Kasozi, 1994).[466] However, I argue that Acholi is a multi-ethnical society, however, initially bonded through consent and reciprocity[467]. In fact earlier writings by travellers have often revealed that the Acholi were more friendly and dependable on than other neighbouring communities (see: Crazzolara, 1950:75-77). In addition, this viewpoint assumes that violence in Acholi is collective, motivated by hatred, directed by powerful authoritative leaders and that as a community, the Acholi are always on the offensive.

A number of scholars have rightly disputed the narratives, arguing that no empirical evidence exists to substantiate this viewpoint (see: Whitmore, 2013:Chapter 3; Branch, 2011:45). Additionally, the dominant trend in the violence witnessed in Acholiland has been one in which some segments of the Acholi reacted based on *lapii* in self-defence. In most instances, violence did not follow an interlude of conflicts especially with powerful outsiders. Rather, violence – which

[466] The divide-and-rule myth regarding northerners as warriors by the colonial authorities have been referred to in a number of scholarly writing. However, as discussed in Chapter Seven, most scholars have persistently only made reference to this half of the story as I have further explained.

[467] Acholi's known and reported behavior regarding strangers as earlier observed by Crazzolara, 1950:75-77 and later by public servants from the other part of Uganda, who served as government officials in the Acholi Local Government.

was multidimensional - was used as a language of defining the form of relationship that outsiders intend to establish[468]. Also, the elders from Acholi argued that Acholi culture has always abhorred violence. The way in which *kaka* in Acholi operated were the outcomes of compromises, consent and political legitimacy that brought different tribes together under an ideology for peace.

Conversely, the culture, while admittedly has been dynamic, has demonstrated elaborate mechanisms for conflict resolution, *mato oput*, suggesting that it is a conflict culture – one that encourages confrontation in shaping the outcomes of interactions. However, naturally, it has a "degree of elasticity of tolerance" beyond which it would be capable of holding up to its dignity[469]. Importantly, the Acholi as a society does not have a supreme leader because *tela* are categorised, diffused and transitional. Acholi's strength, as we discuss later, is at the agnatic and especially the corporate family levels.

The second strand dominates political science and humanitarianism. It sees violence in Uganda as identity politics, suggesting that it is rooted in the legal construction of space and boundaries as a means of governance. Proponents of this school include Branch (2005, 2011) and others (e.g., Dolan, 2005, 2011). As a constructed viewpoint, it does acknowledge that violence is supply-led, purposeful and has the capability to motivate the Acholi to develop an identity that promotes "us" against "them". Particularly, the postcolonial era has enforced identity creation in Acholi through the administrative boundaries, language and political categorisation. Within this strand, violence is defined within the two constituencies of "primitive" as being the Acholi system and "modern", representing the viewpoints of the outsiders and especially the rouge state. The forms of such violence were political because they were concerned with issues, like natural resources, underdevelopment and governance.

In other words, even though the Acholi are of varying political ideologies, violations of their rights have been applied as a geopolitical prescription that ignored

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[468] Uma-Owiny (2013) observed that the Arab slave traders would cause ethnic *kaka* to fight for resources even when there were no enmities among them. Similarly, most of the violence seen in the last thirty years had no specific objective other than to subdue the community.

[469] Responses of some elders to what they see as cultural sensitivity in the diverse community in Uganda.

their differences. Within this school, political marginalisation through policies and other governing activities manifest the instrumentalisation of this identity politics. However, Acholi is a multi-ideological society with a strong background of Catholic and Protestant faiths (see: Onek-Adyaga, 2011: 34-38). In the first postcolonial era, the DP dominated the parliament of Uganda while at the Local Council, the UPC were predominant (see: Leys, 1967). Its delineation as an ethnic group was based on some commonalities that Atkinson discussed, which does not conform them to a single line of ideology but was certainly nurtured by *kaka* collectively as an ideology (Atkinson, 1999,2010:40-45). As a society they share interests around peace and social justice.

The last strand, which emphasises economic dimensions, sees rampant poverty in Acholi as the cause of violence and also as its consequence (see: World Bank, 2004). Colonial authorities defined this path by circumventing a comprehensive post-conflict recovery of Acholiland after some sixty years of damages inflicted by slave traders to its human, economic and social capitals, including promoting distrust between the different clans (Mamdani, 1996; Odoi, 2010). To the contrary, the British, compelled by their interests, set predatory structures and exploited the Acholi based on "business models" that lacked the moral ground of post-conflict recovery[470]. By the time of Uganda's independence, Acholi was ranked as one of the poorest areas in the country (Leys, 1967). And now, fifty-two years thereafter, the Government of Uganda admits that the bulk of those living below the poverty line are concentrated in Acholiland (PRDP, 2007).

Proponents of this view see institutions and governance as critical in the underdevelopment of Acholi. They advance that the Acholi is an aggrieved society and is capable of abetting violence by indulging in surviving actions that inflict violence. A true manifestation of this assertion came to pass within the last twenty years. Motivated by negligence, poverty and the absence of alternative livelihoods, the Acholi household have destroyed over two hundred kilometre square of forest. Laker (2014:1-15) provides an insight into this environmental conflict, submitting that forest cover in Gulu district has declined from 371km^2 in 1990 to only 200km^2 in 2014.

[470] See for instance Graeber (2011:162) argument on how similar policy by the Spanish conqueres of the Indian tribes that culminated into a form of genocidal consequences.

While violence in Acholiland has been multifaceted and certainly predatory in most instances, social powers have induced violence driven by the political economy of governance and perceptions. In some instances, especially internally, derivatives and moralistic violence, symbolising grievances, revenge and coping strategies are known to have occurred. However, mass violations or social tortures in Acholi have been supply-led, either by organised groups like the LRA or by state machineries, as was the case with Idi Amin and Museveni's soldiers. Rebellions like Lamogi in 1911/2 and the insurgency by the LRA did not represent a community-wide response to social power (Finnström, 2003, 2008:138-144). They were, however, political as they sought political solutions (Allen, 2006; Finnström, 2008:83, 211-214)[471]. The LRA's violence, however, mutated over the years into forms that are difficult to categorise, and have become classified as terrorism.

However, the three strands share common denominators, that is, that violence cut through Acholi as a community and it is about governance - something that I have discussed in more detail in Chapter Seven. These viewpoints concur with Ndlvou-Gatsheni's *"The Logic of Violence in Africa"* in which he sees "endemic violence" as synonymous with Africa's governance because it has been the feature of both the modern and history of governance (see: Ndivou-Gatsheni, 2011:1). For this essay, I see three important short falls in the current analyses of violence in Acholi.

Shortfalls in the analyses of violence in Acholiland

Firstly, current analyses have failed to identify the conflict potentialities of the parties involved as they seek for peaceful dialogue in resolving conflicts. Since the Acholi are viewed as part of the Uganda state, resolving its perceived discontent with the state has often been delegated to the existing neo-liberal constitutional framework of statehood that gives government an edge in dialogue. This approach has failed to heal the historical injustices the Acholi have inherited since colonialism[472]. Just peace define, as "a dynamic state of affairs in which the

[471] The Lamogi rebellion of 1911/2 has been discussed both by Crazzolara (1954) and Adimola (1947). However, the recent LRA war has been discussed in several perspectives including by others like Finnstrom, 2004, 2008

[472] Conflict potentiality is defined by the sociocultural space, that is, the characters of the structural dimensions of interactions of the social-political entities. There are

reduction and management of violence and the achievement of social and economic justice are undertaken as mutual, reinforcing dimensions of constructive change" demands a good understanding of these conflict potentials in order to appreciate the weakness of acclaimed global approaches to resolving them (see: Veal and Stravron, 2003:9 and Grove, 1947).[473] The Acholi experiences, based on the voices of the CSOs, missed that constructivist dimension.

Secondly, in a fragile condition of Acholi, defining shared governing mechanisms within the donors' supported framework of decentralisation has been illusionary. First, the institutional arrangements to ensure effective community governance have been weak. Secondly, most resources for recovery tend to come through non-state actors, who have demonstrated a mixed of incapability and incompetence[474]. Additionally, non-state actors have increasingly put emphasis on fiscal rather than to both fiscal and technical accountabilities of their work.

The essence of shared governance in which the community is but an important stakeholder has not worked well in Acholiland. Partly, although a framework exists, strong and effective political enforcement is missing, to deliver on the problems. Incidentally, the observable emphasis on governance has been on decision-making, including disbursement of resources rather than on the ultimate outcomes. This has created a gap in governance, side stepping the significance of the target community in the process (see: Oosterom, 2012).

More glaringly, however, is the analysis of the recent violence between the Lord's Resistant Army (LRA) and the NRM. The build-up of this insurgency, as laid out by Lamwaka (2002), started somehow in 1986 immediately after the NRA/M came into power (see: Lamwaka, 2002:31). There are disjointed representations of both the analytical and descriptive narratives of the political discourses and the realities found in Acholiland (see: Dolan, 2011:4). While in the former, I am concerned with the politics of community governance, in the case of the latter I specifically refer to the narrative and the politicisation of violence in Acholiland.

"conflict cultures" and "conflict sub-cultures" that I have discussed earlier in Chapter Two.

[473] Most analyses of conflicts and violence have made claim of underdevelopment and culture of the Acholi as the main reasons for continued conflicts.

[474] Interview and discussion with LC officials at sub-counties and district levels

The third shortfall in the literature has been the unequal attention given to the other forms of violence in Acholi by scholars. The logic behind some forms of violence – for instance, xenophobia, criminality, rape, torture, and maiming - seems trivial and is sometimes difficult for outsiders to understand or comprehend. Importantly, these types of violence are often broadly categorised as war, since the actions are perpetrated during civil unrests.

Thomson (2010:Location 404-414) and others (Finnström, 2008:37-40, 55-58 Branch, 2011: 18-19), for instance, contend that colonialism as a policy and an instrument of governance has made significant contributions to violence in Africa, and therefore fits the description of an immoral form of governance. Thomson (2010: Location 436) in particular suggests that in countries like Uganda, there was little interest by colonialists to ensure stability other than where self-interest required it such as in order to enable business, in which case such interventions were enforced by institutionalised force. Branch (2011:52), like Thomson (2010: Location 436), sees the arbitrary delineation of political boundaries and creation of ethnic groups as part of the divide-and-rule. They suggest that post-colonial state and tribal identities have been in a dynamic, mutually dependent relationship that has maintained this divide, renegotiating and reconstructing the evils for the good of the governors. For that matter, ethnic violence expresses the landscape of governance in Africa[475].

In my own experience, violence is a difficult and complex phenomenon to define if one has to preserve the reality that it evokes and to embrace its dimensions and specificity in life, particularly as reported below by a respondent:

> **"You can hide from gun fires but not from humiliations! Can you imagine a young man, who could be your son, forcing your wife, who should be his mother to undress and slept with her as you look on ... Then he turned to your daughter …and you sit and watch helplessly, waiting for your turn to be sodomised! Then they took turn, all seven of them on all of us! Now, I know why I should have allowed them to kill me … I should have … because I am dead inside "[476]**

[475] Twenty-two out of the forty-eight African countries are classified by the World Bank as fragile, meaning that they are post-conflict or are prone to violence anytime.

[476] Testimony from a respondent in Olwal, in Amuru district: July 1999

Galtung (1969:168-170) and Herbolzheimer (2009:1) feel that the use of multiple lenses as an approach is powerful in conceptualising violence. The interdisciplinary approach not only appreciates the multicultural meaning of violence, it also enables better understanding of the importance and dimensions of violence.

This is because culture as a form of collective social power gives different meanings to violence. It can, for instance, legitimise violence as in the case of rituals or the way Acholi *macon* managed conflicts and implemented social justice (see: Mazarui, 1975). Yet, in the case of Acholi, the most interrogated violence in the literature has been what Galtung (Galtung, 1969: 170) refers to as personal violence and what Zizek (2009:2) refers to as subjective violence. This has ignored the most damaging aspects of violence: structural violence and social torture (see: Dolan, 2010: Chapter 3; Whitemore, 2010). With physical violence, the actors and the victims can be easily identified, and in theory at least, be held to account.

Finnström (2008), for example, gave an insight into the history of provocations, misplaced arrogance and other dimensions of predatory violence that are latent and often misunderstood. These writings have provided evidence that the colonial administrators, post-colonial governments and especially the NRM have conjured governance and extensively used force and prejudices against the Acholi (see: Dolan, 2011). From these insights and observations, one acknowledges that the typologies of violence in Acholi reveal multiple expressions: some celebrated, others bemoaned, and probably most are implanted in the governing interactions and with prolonged effects.

Consistently, one observes that violence was a legitimate tool of governing interactions used by those in power to extort, wilfully, governing outcomes that did not resonate with the beliefs of the society and were, thus, traumatic by nature and therefore immoral. For instance, violations through so-called “protected villages” were, as narrated by Dolan (2009; 2011), institutionalisation of torture that aimed to provoke the Acholi either to fight back or to conform to the powers that be. Some violence, however, was evoked as victims turned perpetrators under duress, in what Mamdani (2002) describes as derivative violence. These forms of violence worsen the fragility of the Acholi situation, as Finnström (2008) discusses about the *Iworo boo* group.

Violence from a local perspective

In the case of Acholiland, I argue that political violence has largely been an expression of social power. Social power is collective and a derivative of groups not of individual acts (see: Veal and Stavrou, 2003; Finnström, 2008:152-159; Dolan, 2011: 220)[477]. Social power, I submit, is a capacity and capability by systems, organisations and groups to generate effects on their victims. In the case of Acholi, Dolan (2011:1) coiled the term social tortures to express the systemic manner in which human rights in Acholiland were widely abused by the armed forces and the LRA rebels[478]. Through torture, the Acholi were caused to wilfully comply, even for the things that they would not otherwise do under normal situations (See: Rummel, 1967; Dolan, 2009; 2011).

It is important to note that violence includes intentions, processes and consequences of actions (see: Galtung, 1969:171-172). As such, it varies in extent and nature. In the case of Acholiland, violence embraced a multitude of intentions, processes and actions by corporate groups, individuals acting on behalf of groups and social groups with the view to ostracise, humiliate and cause feelings of unworthiness (e.g., Finnström 2008:100, Branch, 2011: 91-99). Physical violence, including killing or imprisonment in police detention cells or IDP camps, actualised political intention as visible evidence. Violence was also, in the case of death in the camps, were caused by negligence by government because it was avoidable. When actual violence is avoided, argues Galtung (1969), prospects for peace are likely as non-violence reduces the potential for violence.

Overall, violence in Acholiland included a broad range of social phenomena. It embraced ethnic exclusion – the *anyanya* (Finnström, 2008:90-91, 155-156), racism and tribalism, and other stereotypes that excluded Acholi from being an equal part of the Uganda project. It also includes the negligence of

[477] Within the context of this assertion, I further argue that because of the organization of authoritarian regimes similar to what w have seen in the NRM since 1990s, the principal is capable of ordering a group, like the the NRM caucus or NM carders, to act in good fate.

[478] Chris Dolan makes reference to the persistent violence and violation in Acholi over a protracted time period as social torture because there are evidenced of widespread violation, dread, disorientation, dependency, debilitation and humiliation, all of which were tactics and systematic symptoms of tortures by the armed forces and groups engaged in the war.

responsibilities, the processes of violations and the outcomes (see: Mamdani, 2007). For instance, the so-called “protected camps” were not safe, as they became the centre for the abduction of children, physical and mental torture of the people and spread of HIV and other diseases (see also: Dolan, 2011:163). The structure of domination that perpetuates violence and the societal values that trigger contestation of such political actions – like the courage to give opinions that contradict the official versions - existed, and explain why there has been sustained struggles by the Acholi for justice, which appealed to the use of force by the perpetuators of violence. As Rummel (1963) and Coser (1967) noted the structures, strategies and intentions of these parties, and the dynamism of the conflicts over time, are traceable, well defined and articulated, some thing that Onyango-Odongo (2007) also wrote about the Acholi democracy.

Acholiland as a case of political hybridity

Contextually, Acholiland manifests hybridised political orders associated with what some scholars consider are signs of limited statehood (e.g., Boege et al., 2009b). Prolonged violence in Acholiland has dovetailed with increasing rates of poverty and human rights violations more than anywhere else in Uganda (See: Branch, 2011: 163-165; Dolan, 2011: Chapter 5; UBOS, 2013. Its “customary” institutions and those of the state have virtually capsized – unable to withstand stress, whether from nature or political manoeuvres. These situations, however, have worsened during the NRM. This, I submit, have been a built up of effects of a prolonged neglect of the Acholi since the Idi Amin era. However, that has now been further overwhelmed by inappropriate governing actions under the NRM regime (see also: Finnström, 2008:199-200 and Branch, 2011:58-61). In particular, the induced societal displacement and the associated services provided to the IDPs that began in 1986, dealt the killer blow that engulfed the entire social-political system of the Acholi (see: Atkinson, 2010: Afterword; Dolan, 2011: 183; Branch, 2011:58-61). At the peak of this phenomenon, over thirty eight thousand children were abducted and many more died in the camps from communicable diseases and system negligence (e.g., Opiyo-Oloya, 2013: 58-59; Dolan, 2011: Chapter 5). Trivialising these inhuman outcomes of displacement within the national political and especially economic gains, the NRM and the donors wrote off the Acholi as a society.

There was prolonged and possibility inevitable humanitarian interventions in Acholiland since the 1986 (see: Kaldor, 1999:111; Mamdani, 2009:300). The thing about humanitarian support, as Branch (2011: Chapter 1) indicated, is that it assumes that the beneficiaries morally approve the actions of these variegated actors, even when in most cases they do not agree with it. Typically, these interventions involved partitioning the displacement camps among the different foreign-based NGO actors, who proceeded to created parallel administrative structures, to manage their agenda. These agenda included provision of a UN standardised livelihood security packages that these NGO contractors could vary at their discretion. The packages also included a complete reconstruction of village life - and overhauling the well-known community systems, to retrofit into the new budget-driven emergency architectures. In these "new" arrangements, all beneficiaries of NGOs handouts were categorised as victims, and therefore vulnerable. These NGOs in turn, became experts in prescribing local issues within the agenda of government.

Subsequently, the political legitimacy of the local institutions waned as diverse and competing claims to power and logic of order set on during emergency period. The overlapping and conflicting roles at most, became the norm for the eighty per cent of the new Acholi generation that lived accessing sub-standard services in the absence of standardisation that would be set by local or public institutions[479]. The new political order introduced what Louise Wiuff Moe (2014: 38-40) referred to as "hybrid governance" – a situation where Fukuyama's (2013) symbolic state was limited in its core functions (Moe, 2014:26).

However, hybridity in my opinion is Kooiman's (2003:62, 139) social-political governance - a normal political order that is prevalent in Africa and one that challenges the Eurocentric and normative version of an effective liberal-democratic state – one that experiences have so far shown as an utopia in the African context (Moe, 2014: 37-3). This is because a modern state seeks legitimacy in democratic practices and avoids the pitfall of rampant discrimination in the African context by ensuring equity and human rights. The emergence of these new political actors and institutions to fix the gap in governance in Acholiland, brought with it new issues that have dented the long tested practices of the fading traditional cultures.

[479] Recorded in my interviews with the elders that lived in the camps

As Branch (2010), Smits and Wright (2012:22) have discussed with regards to fragile situations, these new political actors set by Global NGOs became patrons of confusion as they lacked the bases and legitimacy of local governance. They proclaimed new and unchecked packages of change agenda for people in distress and largely mentally compromised. One such technology is the gender concern at household levels. The sole purpose, from the footprints, has been to cause change in the patrilineal culture in line with their concealed agenda of change – and not so much whether these changes were sensitive to prevailing local situation at the time. In the absence of state oversights for both contents and quality of services supplied, some of these new technologies caused considerable harms to the people[480].

Kaka as a governing realm was a response to local context – which was diverse and complex, demanding innovative governing situation. It aimed to preserve and maintain some of the core agnatic growth and identity and gender sensitivity was not so much part of the societal value. The colonial regimes if anything, strengthened the gender insensitivity of the Acholi culture. Sadly, its interactive governance approaches – the principles and the practices that evolved to retain intra-*kaka* peace and promoted bridges and co-existence of diverse societies, was rudely interrupted by western form of modernity. The humanitarian approaches merely used its mandate and assumptions of local consent, to stifle the growth of primodialism in the name of emergency (Branch, 2011:23-26).

New wars and unused mechanisms for moral change

From political events unfolding since the 1890s, the Acholi needed some form of bottom-up and top-down institutional change. Leaders like *Rwot* Camo and his predecessor *Rwot* Awich of *kaka* Payiira are said to have initiated this move (Uma-Owiny, 2013). That path, however, failed as new systems were induced that ignored the participation of the community (p'Ojok, 2007:3; Finnström, 2008: 29-36, 168-169). All through the colonial and postcolonial eras, State-driven reforms set to undermine the traditional and informal system, to the detriment of developing Acholiland (see: Kaplan, 2008: Location 279-94; Benequista, 2010; Haider, 2011).

[480] My discussion with enlightened people in the camps in Awer, Lacor, Keyo in the 2005 confirmed what similar discussion and experience I had in Kitgum in 1997/98 – that most of these actors merely focus on accounting to donors instead of the beneficiaries and that more helpful local NGOs that have a better understanding of the people are often ignored in the exercise.

When the war against the LRA was officially declared over in 2006, people slowly began to return to their homesteads (see: Kalyegira, 2012). Only then did they begin to appreciate the complexities associated with return and resettlement (see: Adoko *et a*l., 2008). A new dimension of conflict was ushered – clustered around land, as a non-negotiable landscape of space, economic resource and a place of belonging in which intra- and inter-homestead conflicts became a manifestation of new wars (Opio and Oketch, 2011)[481].

Kaplan (2008:9) asserts that there are a number of mistakes being made in addressing fragility by the so-called development specialists. He contends that social cohesion and society's shared, productive institutions are two important requirements to establish development in fragile situations. He rightly maintains that these two requirements have been missing from most analyses of the tripartite relationship between formal institutions, informal institutions and governance. This relationship, I argue, determines the social interactions that are necessary for governance. In a way, Kaplan (2008:17) endorses *kaka's* governing model. Shared governing interactions enable identity politics, which, Kaplan (2008:17-20) argues, is important in the formation and functioning of institutions. This is because identity history has shown that culture is critical in nation building.

Cullen and Colleta (2004), on the contrary, submit that identity can be destructive as it was in the case of Rwanda prior to the genocide in 1994. The Hutu, they argued, relied on their ethnic ties to perpetuate genocide in Rwanda. Thus, cultures that promote inward looking behaviours undermine the growth of cross-cultural social capital demanded in the so call modern state. Branch (2011: Chapter 5) while discussing ethno-justice as a philosophy of traditional response to violence in Acholiland, provided support to Kaplan's (2008: Locations 400-415) emphasis of social-economic parameters.

Emerging Challenges in Local Governance

Violence of whatever nature impacts on community governance severely through the institutional contexts and quality. It influences the politics of governing

[481] See for instance the Monitor Newspaper of Thursday 6/10/2011 written by Emmanuel Opio and Bill Oketch in which they admitted that many more people were not willing to return to their ancestral homeland in fear of conflicts <www.monitor.co.ug>

interactions and outcomes. The LRA insurgency - which many agree, presented the most poorly understood system failure in Uganda – was long in terms of social torture; for close to fifteen years, the Acholi political space was shut out of the media (Finnström, 2003, 2008:71-75; Branch, 2011:189-190). In many ways, the events of the war and the purposes are comparative with two other similar events of the nineteenth (from 1862 to 1875) and twentieth (from 1912 to 1936) centuries, (Uma-Owiny, 2013).

As Charles Onyango-Obbo's commentary[482] in the East African summarises, the LRA war "has broken" the Acholi people, who found themselves sandwiched between the two warring maniacs -, both targeting the innocent civilian for the wrong reasons. There have, however, been a number of scholarships regarding the effects of violence on the governing image, governing instruments and governing actions as measures of community governance in Acholi (Finnström, 2008: 91,156 and Branch, 2011: 58-61)[483].

"Removal from their land to the IDP camps disoriented the people in the north. But what finally did it were the conditions in the camps. Once fairly well to do farmers, cattle owners, business people and school teachers, they were reduced to begging for hand-outs; sharing the same huts with their children (and having sex stealthily); and watching the camps degenerate into drunken fights and waste. You would speak to some of the elders, and they would just break down in a torrent of tears" (Onyango-Obbo, 2012).

Political institutions and governance

These wars certainly undermined the construction of the desired national social capital - the norms, values, and relations that bond all communities in Uganda (Afako, 2002:3-4; Weeks, 2002; Atkinson, 1999; Kasozi, 1999: 23; New Vision, 1994:7). For the majority of Acholi people, the last thirty years that define in large part, the NRM/A politics in Uganda brought forth a new meaning to the Acholi

[482] Charles Onyango-Obbo's analyses available at <http://www.nakedchiefs.com> provide a journalistic viewpoint that comes from the frontline, combining the views of the Uganda soldiers as well as Ugandan civilians. The fact that government did not agree a lot with it makes his judgement an interesting piece.

[483] See for instance from the development context, World Bank Appraisal Report of 2001.

"corporate" identity and "independence" (see: Dolan, 2011:192; Atkinson, 2010:393-300)[484]. The NRM era has literally re-invented the emancipation of fear in the Acholi community who, as individuals, are fused into the Ugandan society as tortured citizens of the country (see: Dolan, 2011:10-11, 258; Atkinson, 2010: 276-335). This is for two reasons. First, it failed to bring peace to the Acholi, a contractual obligation enthroned on it by constitution (Okudi and Lawino, March 2014), and secondly, it betrayed the Acholi by insisting that Uganda was in peace, implying that Acholi was outside the state territory.

It propagated the birth of informal behaviours within the Acholiland. The metamorphosis of Joseph Kony's LRA - a product of fear and hopelessness by disgruntled youth and ex-soldiers - was an institutional failure that devastated the image of the Acholi and that of Uganda. Branch (2011:66-71) argues wrongly though that Kony and his rag-tag troops provided alternative leadership that Acholi needed, to measure up to the NRM/A advances. On most accounts, the NRM/A victory was certainly an existential threat but Kony did not represent any leadership values to the Acholi, even under such desperation.

Leadership, as we discussed in Chapter Six is not about waging wars or proving the obvious, like for a fact, the NRA soldiers based on oral accounts, had planned to revenge on the Acholi for the evils of the Obote II era (see: Lamwaka, 2002:31; Whitmore, 2010). To the contrary, leadership in Acholiland have sought to dialogue and articulate their positions on matters of governing nature. As for the LRA war, it was certainly a sign of collapse in the political system where youth took it upon themselves to wage war on behalf of the community. Branch's (2011:66-71) viewpoint suggests that the Acholi was in favour of war against the NRM/A (Lamwaka, 2002:32-33; Allen, 2006:na). It also wrongly suggests that the Acholi resort to violence when provoked even by superior forces.

The politicisation of leadership along the dominant orthodoxy of masculinity and centralised authority has often faulted the Acholi leaders. This is because, as the LRA war continued, the Acholi still had the quality of leaders in the national

[484] Chris Dolan puts an intellectual spin on this in his chapter: Social Torture and Continuation of War (2011:219-248). And, Ronald R. Atkinson covered significantly this issues under "A Perspective of the Last Thirty Years" in the new edition of the "Roots of Ethnicity: Origin of Acholi of Uganda" 2010:282-335.

parliament and Local Government that measured up to standard (Nalugo, 2012)[485]. As displacement and torture became the central Acholi reality – perhaps the only place in the world where it is possible to lead a complete and authentic Acholi life, "warts and all" – these leaders stood up and made these cases, albeit unsupported[486].

In a similar manner, from 1910 to 1936, the British administrators – according to Uma-Owiny, (2013) - used their unlimited decentralised power to enforce encampment in Acholi. This programme discriminated against the sick, the old and disabled, who, from narratives, were left in the villages as the rest, were herded into 'protected' camps[487]. Enslavement, both under the British administrators and then under the NRM regime, lasted in each case more than 20 years and ignited population expulsion that culminated in the separation of families and disintegration and erosion of "traditional" social norms and values. The NRM era featured unprecedented displacement in Acholiland – both internally within Acholiland and externally, including outside the country. The "modern environment" in the displacement camps and in Acholi, in turn, constructed an identity reform and reaction, which nurtured exceptionalism on one hand and submission on the other to the authorities that continued to treat people with suspicion.[488]

Thinking locally and acting globally

Finally and most importantly, the posterity of Acholi political emancipation rests with the younger generation taking charge, yet the staggering unemployment levels and impact of the war undermine their representation and contribution. The

[485] See for instance article in the Monitor Newspaper by Nalugo, 2012 following the diversion of reconstruction funds meant for the north by the Office of the Prime Minister

[486] While Atkinson (1999, 2010:292-301) covered the significant roles of traditional leaders in governance, Leys (1967) and Gertzel (1974) cover some aspects until the 1960s. The profiles and the achievements of recent politicians particularly in the last 30 years can be found in Finnstrom, 2008:104, 115-117; Branch, 2011: 71-74.

[487] On the policy that gave the native chiefs unlimited power, refer also to: Dieberg, 1927:155-171. On the treatment of the people, stories from those who lost their people, folk lures and songs exist as testimonies of the treatment.

[488] Even after people returned to their villages from the camps, news of continued harassments by security agencies continued and in some cases these were linked to land issues but in other cases to politics as will be discussed in Chapter Six

population of youth those below the age of 35 years are over eighty five per cent of the Acholi population[489].

According to World Bank, human capital is the foundation of social change and it must come out of strategic engagement with the outside world (World Bank, 2011). For Acholiland, this demands that local leaders, hopefully with the help of the state, focus on skills provision and targets self and regional development to complement national and global habitus. However, the core of Acholi youth[490], representing over seventy-five per cent of the current Acholi population, is sadly disenfranchised. This generation, born in the last thirty years, pose serious challenges in the post-conflict context in determining the future of Acholiland as a political entity. It is both good and bad news as further discussed below.

There are a number of scholarly analyses of the impact of "social torture" and violent conflicts on the youth (e.g., Garbarino, 1991; Boyden, 1994; Braken, 1998; Abdullah, 1998). Most of these studies are linked to governance and have discussed the negative and positive impacts of armed conflicts on the behaviour and lives of youth. There are also specific analytical works carried out in Acholiland, for instance in the health sector (e.g., Annan & Blattman, 2006a; Bayer, 2006; Pfeiffer, 2006). Additionally, Harlacher (2009) also studied the status and impact of Post-Traumatic Stress Disorder in Acholiland and highlighted some key governance issues. These studies sculpted frightening evidence of the negative impact of social torture, including alarming increase in mental illness on the population[491]. Harlacher (2009) for example, recognises the positive impact of "traditional" efforts in addressing these problems. He further observes that there is an overwhelming

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[489] This estimate was given to me in a discussion with the Chairperson, LC 5 – Gulu in March 2013. I verified this information with the UBOS projection for 2013.

[490] Most western-based organisations, including the UN, consider youth as people in the age bracket of 13-24 years of age (Sommers, 2011a: 3). However, in most rural Africa, the definition of a youth is a "matured child" and a "young adult". In this context, the age group I have considered for this study is between 15-35 years. Please also refer to work by Marc Sommers and the discussion of a youth project in Kenya (Office of Conflict Management and Mitigation, 2005:3)

[491] This analytical work adopted "the dominant trend" that emphasises the vulnerability of the youth rather than their resilience (see: Eyber and Anger, 2004). Although the war's negative impact on the youth cannot be denied, the reality in Acholiland is that they cannot be passive in moving the agenda forward. Most of these western funded NGOs like to maintain their patronage over such situation, for their own continuity.

magnitude of trauma among the young population and recommends urgent scaling-up of the other relevant approaches, including the use of modern techniques.

It seems therefore that the current state of youth unemployment, following the twenty-five years of insurgency in Acholiland, and other negative effects of the wars, are early warning signs of potential criminality and renewed insecurity.[492] This is strengthened by a large number of children, who were born in displacement and raised without much parental guidance[493]. Thus, the impact of war, particularly on the youth and children, demands that local leaders are empowered to engage more widely with local communities, to deepen and effect an internally focused reconstruction agenda that is able to address the peculiar situations that do not necessarily register on national development barometers.

Scholars like West (2000) and Gable (2000), on the other hand, discussed some positive outcomes of the direct involvement of youth in armed conflicts, which include their direct contribution to liberating their countries from repressive regimes, and gaining skills in workmanship that they could have otherwise not experienced. Branch (2005) also discussed some similar sentiments coming from his survey in Gulu town (Branch, 2008: 9-12). Both women and the youth particularly acknowledge increased accessibility to banks and other amenities that have enhanced their resourcefulness in business. Overall, the youth, with the advancement in technologies like cell phones, the Internet and transport, have, in some instances, used their new found social capital to effect social changes in their communities that previously had not been achieved under traditional circumstances by their earlier generations while they were "in the village".[494]

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[492] The Economist Paper in the World in 2013 Print Edition observes that globally around 75m people aged 15 to 24 are jobless. The International Labour Organisation, according to the Economist, is quoted as having said that this dismaying unemployment rate of almost 13% will rise. Acholiland inevitably will be a major part of the increase, going forward.

[493] Analysis and discussions were collectively done with the respondents in Pakiri in Amuru during marriage ceremony in April 2011.

[494] This statement recognises that there has been a deliberate targeting of youth and women by NGOs, which was not the case prior to the war. But overall, having worked with youths in Uganda and elsewhere in Africa, these developments have been reported and are true of Acholiland as well. However, one needs to note that it did not require war of the magnitude experienced in Acholiland to introduce such change in the living conditions of the poor.

Henceforth, the collapse of the institutions of governance and services, including education, the growing youth unemployment, the high prevalence of HIV/AIDS and the rise in youth and children criminality, attest to a crisis for pluralistic and specialised forms of community governance. It is for these concerns in general, and the current context of Acholiland in particular, that I have discussed this case study within the realm of community governance as a theme in the premise of peace studies, emphasising the moral aspect of this efforts.

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